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REPORT

OF

THE STUDY TEAM

ON

THE POSITION OF GRAM SABHA

IN

PANCHAYATI RAJ MOVEMENT

OFFICE OF THE PRINCIPAL
30 SEP 1963
BHAVANISAGAR
RURAL EXTENSION TRAINING CENTRE

सत्यमेव जयते

MINISTRY OF COMMUNITY DEVELOPMENT & COOPERATION
GOVERNMENT OF INDIA
NEW DELHI
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Letter of Transmittal

R. R. Diwakar,
Chairman,
Study Team on Gram Sabha.

New Delhi,
April 16, 1963.

My dear Dey,

I forward herewith the Report of the Study Team on Gram Sabha.

Almost immediately after the constitution of the Team, I had unexpectedly to go out of India for a considerable period, and so was not able to devote as much time to the study and the visits to the States made by the Team. Another member, Shri G. Venkatachalapathi, could attend only the first meeting and was prevented by illness from taking any further part in the Team's work. The Team was further handicapped by the fact that due to the emergency the two members of the Team, Shri B. S. Mehta and Shri Bhagwant Singh, had pressing calls on their time from their respective States, and could be with the Team only for short periods. In spite of these handicaps, it is satisfactory to find that the Team reached almost unanimous conclusions on most of the major points involved in the Study.

While we are all agreed that the Gram Sabha should be statutorily recognised and encouraged to play a more active part in village affairs, one of our members, Shri G. P. Jain considers that the Gram Sabha should be given a decisive voice in respect of :

1. Annual Budget
2. Annual work programme
3. Review of the Panchayat's progress report, and
4. Control of expenditure.

His fear is that unless this is done, members of the Gram Sabha would not take any interest in it and would not attend its meetings. On the other hand, all the other members feel that it is unnecessary to lay down a relationship by statute in the immediate future. This matter has been fully argued in the report and Shri Jain's note of dissent is an expression of one of the two points of view.

It is, however, necessary to point out two inaccuracies in his note. It is not correct to say that 'It came to the Team's notice again and again during the field evidence it recorded that if the Sarpanch was

keenly interested in calling a meeting of the Gram Sabha, he was indeed able to have a quorum'. Indeed the evidence is just the other way about. Even the most popular and active Sarpanches in Uttar Pradesh where this institution has been functioning for the last twelve years and over, had complained to us about the paucity of attendance at the Gram Sabha meetings and how they had to satisfy the requirements of the law through the device of an adjourned meeting which requires no quorum. Secondly we are very anxious to avoid a situation in which "The minority in the Panchayat will have a chance to carry its fight to the floor of the Gram Sabha and have its prevail". We do not envisage that village democracy would develop in this way. Factionalism has already gone too deep in rural areas, and the Gram Sabha should not provide an added instrument in the process. Finally, all Chief Ministers of States and an overwhelming body of responsible non-official and official opinion whom we consulted were of the view that while ultimately the Panchayat should be responsible to the Gram Sabha, the relationship should be allowed to develop gradually through a process of convention. We are clear that if Gram Sabhas do become active, their views would be respected by the Panchayats, even though they are not strictly binding on them. The development of the Gram Sabha is dependent on certain changes in the socio-economic climate in the village and it will be a process of time before these are achieved, but to do so in the present situation when villagers do not attend and do not take interest, would be putting the cart before the horse.

Shri Raghubir Sahai's dissent from the Team is on two minor matters. He wants gradation of Panchayats to provide them with incentives for good working and he feels that an educational qualification for a Sarpanch should be prescribed. There are at present 2/3rd States where such gradations exist, but we have not had enough experience on their working. Gradations will also involve problems of classification which may not be easy to resolve. Instead we have suggested that the more successful Panchayat should be provided with incentives in the form of increased monetary grants. If Panchayats can improve their working through incentives, these would be as good as those proceeding from the exercise of higher powers.

To make an educational qualification compulsory for the Chairman of the Panchayat and Chairman of the Samiti would disqualify about 80% or more of the rural population from aspiring for such a post. Secondly, we are not aware of many cases, where efficiency of Panchayats has particularly suffered from their Chairman and Panchayat members not being sufficiently literate. Finally, it would be difficult

for the rural people to understand why this requirement is being asked of them, when it is not required for other elective posts either in the Panchayati Raj or in the States and the Centre.

The other matters raised is Shri Raghubir Sahai's note have either already been dealt with in the report or are outside our terms of reference.

Shri Pahadia's note needs no comment.

I thank you very much for the privilege you accorded to me in serving as the Chairman of the Study Team. It has helped me considerably to clarify my ideas on this matter.

Yours sincerely,

Sd/-

(R. R. Diwakar)

Shri S. K. Dey,
Minister for
Community Development and Cooperation,
Krishi Bhavan, *New Delhi.*

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INTRODUCTION

Appointment of the Team and Terms of Reference

The Ministry of Community Development and Cooperation in their Resolution No. 4/68/61-Panch, dated June 26, 1962 appointed a Study Team with the following members.

Chairman :

Shri R. R. Diwakar, Member, Rajya Sabha and Chairman, Gandhi Smarak Nidhi.

Members :

Shri R. K. Patil
Shri S. N. Dwivedy, M.P.
Shrimati Sarojini Mahishi, M.P.
Shri J. N. Pahadia
Shri S. M. Joshi 1
Shri Raghubir Sahai
Shri G. P. Jain, Editor 'SEVAGRAM'
Shri B. S. Mehta, Chief Secretary, Rajasthan
Shri G. Venkatachalapathi, Additional Development Commissioner, Madras
Shri Bhagwant Singh, Director of Panchayats, Uttar Pradesh.

Secretary :

Shri S. Dasgupta, National Institute of Community Development, Mussoorie.

Noted below are the relevant extracts from the text of the resolution, which include the terms of reference for the Team :

"The fifth meeting of the Central Council of Local Self-Government held in 1959 recommended that the Gram Sabha should be given statutory recognition and legislation should provide for its participation in the formulation of programmes and the review of progress. This was reiterated by the sixth meeting of the Council held in 1960 and by the Conference of State Ministers of Panchayati Raj held in 1961. Though a number of States have recognised the Gram Sabha statutorily and assigned them certain specific functions, it is yet to develop into an institution capable of exerting effective influence on the village Panchayat.

The extension of the processes of democracy to the people in the real sense should mean that the Panchayat functions as the executive body to give concrete shape to the wishes and aspirations of the village community as represented by the Gram Sabha. The objective of Panchayati Raj is to establish a participating democracy so that at the village level the Gram Sabha, consisting of all adult residents of the village, should not only deliberate, but

also participate with its executive namely, the Gram Panchayat in planning and implementing the various programmes. The mode of achieving this objective requires to be examined.

If decentralisation and the sharing of powers and responsibilities by people's representatives at the various levels are to be real, these powers and responsibilities must be exercised institutionally. In this connection the powers conferred on the Chairman of the Panchayat Samiti and the Sarpanch need to be analysed with a view to providing effective safeguards to ensure that they function institutionally."

2. "These problems precipitated by the working of Panchayati Raj in different States have been exercising the mind of the Government for some time. The Government of India have accordingly decided to set up a Study Team for this purpose."

3. The following will be the terms of reference of the Study Team :

(i) To study the working of the Gram Sabha, Gram Panchayat and the Panchayat Samiti with special reference to :

(a) the extent to which the Gram Panchayat is influenced in its policies and decisions by the views and mandate of the Gram Sabha and the extent to which Gram Sabha is involved in the implementation of programmes.

(b) the extent to which the existing powers and functions of Sarpanches of village Panchayats and Pradhans of Panchayat Samiti are consistent with the institutional functioning of the Panchayats and Panchayat Samitis.

(ii) To suggest measures necessary to ensure that :

(a) the Gram Sabha is built up as the base of Panchayati Raj, and

(b) Sarpanches (Panchayat Presidents) and Pradhans (Presidents of Panchayat Samitis function institutionally.

4. The Headquarters of the Study Team shall be New Delhi. The Team may undertake tours as and when necessary and may also meet persons who may have expert knowledge on the subject.

Subsequently the Team was also requested by the Ministry, to examine the question of work of Gram Sabha, *vis-a-vis* Village Production Plans and Village Volunteer Force.

The Team at work

5. The Team actually started functioning from the 1st of August 1962; the first meeting being held under the chairmanship of Shri R. R.

Diwakar on 2nd August. Shri S. K. Dey, Minister for Community Development and Cooperation, Government of India, attended this meeting and inaugurated the work of the Team. The report was finalised on 30th March, 1963.

6. The Team held seven meetings on the dates given below :

August 2 & 3, 1962
September 25, 1962
October 14, 1962
November 26 & 27, 1962
February 20, 1963
March 18, 1963
March 30, 1963

7. The Team adopted the following methods to collect evidence for its study :

1. *Library work*

All available literature on Panchayati Raj and its state of functioning in various States with particular reference to the position and powers of Gram Sabha, were compiled and an acquaintance with this data, along with the visits, had helped the Team to acquire a primary knowledge of the state of functioning of Gram Sabha in various States. A list of this and such other material compiled by the Team, as were of substantial help for reference purposes, is given in Annexure I.

2. *Questionnaire and Replies*

A questionnaire, (appended as Annexure II) with a few schedules and open-end questions, was prepared and circulated among the following categories of persons in order to ascertain their opinion on the subject of our study :

(i) Ministers incharge of Community Development/Panchayati Raj of all States.
(ii) Members of Parliament.
(iii) Development Commissioners of all States.
(iv) Director of Panchayats of all States.
(v) Director of Agriculture of all States.
(vi) Director of Education of all States.
(vii) Director of Social Welfare of all States.
(viii) Director of Harijan Welfare of all States.
(ix) Director of Industries of all States.
(x) Director of Public Health of all States.
(xi) Director of Women's Welfare of all States.
(xii) Selected Chairmen of Zila Parishads of all States (selected by the State Minister for Panchayati Raj).

(xiii) Selected Presidents of Panchayat Samiti of all States. (selected by the State Minister for Panchayati Raj).
(xiv) 10% District Collectors of all States.
(xv) 10% Block Development Officers of all States.
(xvi) Selected heads and members of voluntary organisations connected with rural welfare, and
(xvii) A few eminent social scientists.

In all, the Team issued 1,800 questionnaires. The results of analysis of the questionnaires were considered by the Team in arriving at its recommendations.

3. *Case Studies*

A few case records on the working of Gram Sabha and Panchayats were prepared by Prof. M. V. Mathur of the Rajasthan University and the Secretary of the Team, Shri S. Dasgupta, with the help of Shri B. N. Juyal and Shri P. N. Nigam, in the States of West Bengal and Uttar Pradesh to study the process of functioning of the two Panchayati Raj institutions namely the Panchayat and the Gram Sabha.

4. *Visits by the Team*

The members of the Team visited the following States with a view to obtain firsthand knowledge of functioning of Gram Sabha where the institution enjoyed statutory recognition as well as some others where 'Gram Sabha' as an institution was not recognized by statute. These visits enabled the Team to gather evidence and opinion of a large number of persons, both officials and non-officials, on the subject of working of the Panchayati Raj institutions with particular reference to relative position of the Gram Sabha *vis-a-vis* the other institutions and higher tiers :

State	*Districts visited by the Team*
1. Rajasthan	Kota, Bundi, Tonk, Udaipur, Ajmer & Jaipur.
2. Uttar Pradesh	Meerut, Aligarh, Agra, Etawah & Lucknow.
3. Bihar	Patna, Ranchi & Hazaribagh.
4. Madras	Madras & Madurai.
5. Maharashtra	Poona, Akola, Bombay & Igatpuri.
6. Himachal Pradesh	Simla & Nahan.

The Team toured the States of Uttar Pradesh, Rajasthan and Bihar *en block*. Later, as the state of emergency arose in the country, it decided to split itself into groups and, accordingly, toured the rest of the States in groups of two to four. Following members of the Team, accordingly, visited the States mentioned against their names.

Madras	Shrimati Sarojini Mahishi, M.P. Shri Raghubir Sahai. Shri J. N. Pahadia. Shri G. P. Jain.

Maharashtra	Shri S. M. Joshi. Shri Raghubir Sahai. Shri J. N. Pahadia.
Himachal Pradesh	Shri G. P. Jain. Shrimati Sarojini Mahishi, M.P.

During the Team's visit to each of the States, it had the benefit of collecting evidence and ascertaining the opinion of a number and variety of people, which included adult voters and members of Gram Sabha, wherever the same was established by statute, Panches, Sarpanches, members of Panchayat Samitis and Zila Parishads; their chairmen, M.Ps., M.L.As. and officials of the village, block, district and State levels. Apart from the officials and non-officials referred to above, the Team could also meet selected University Professors of Social Science departments and research institutes and had the benefit of collecting their evidence on its subject of study. The Team also had the privilege to record the opinions of the Chief Ministers of Rajasthan, Uttar Pradesh, Bihar and Madras on the subject of its study, as well as of the Governor of Rajasthan and the Minister incharge of Community Development and Panchayati Raj, Government of Maharashtra.

5. *Interviews*

The Team interviewed the following persons and representatives of organisations and had the privilege of ascertaining their views on the subject :

1. Shri Atal Bihari Bajpai, M.P.
2. Shri Ashok Mehta
3. Shri A. Prakash, Commissioner (P.R.), Min. of C.D.
4. Shri Balwantrai Mehta
5. Shri B. S. Murthy, Dy. Minister for C.D.
6. Shri Jai Prakash Narayan
7. Shri L. C. Jain and Shri Dharampal
8. Shri Manikya Lal Varma, M.P.
9. Shri S. K. Dey, Minister for C.D. & C.
10. Shri U. N. Dhebar
11. Dr. V. K. R. V. Rao
12. Shri V. T. Krishnamachari, M.P.

ACKNOWLEDGEMENT

We desire to express our gratitude to various Panchayati Raj Institutions and their members, other institutions and individuals, who responded to our questionnaire or personally appeared before the Team to furnish information and express their views. We are also grateful to the State Governments who offered necessary facilities in connection with the visits and working of the Team.

Shri R. K. Patil, member of the Study Team was kind enough to deputise for the Chairman as the Leader of the Team from time to time whenever the Chairman, due to his other pre-occupations requested him to do so. The Chairman therefore specially expresses his deep appreciation of the valuable services rendered by Shri Patil, who worked hard to bring the report in its present shape and form.

We would also like to place on record our appreciation of the services of Shri Sugata Dasgupta, Director (Sociology), National Institute of Community Development and Secretary of the Study Team. He not only organised the secretarial work, but more than that, his knowledge and training in Social Sciences were of utmost value to us. The Team also wishes to place on record its appreciation of the services rendered by Sarvashri P. N. Nigam, Investigator, Grade I, B. N. Juyal and G. R. Khatri of the National Institute of Community Development and other officers and staff of the Ministry of Community Development and Cooperation whose industry and ungrudging help enabled us to complete the work in time.

CHAPTER I

OBJECTIVES AND APPROACH

Gram Sabha today and in Retrospect

Gram Sabha, almost in all States, is composed of the adult voters of a Panchayat area. In Bihar, Mysore, Orissa and Rajasthan, however, all adult members ordinarily residing in the area of the Panchayat constitute the Gram Sabha. The membership of the Sabha in other States, is therefore, restricted to those adult members whose names are included in electoral rolls.

1.2. The size of Gram Sabha varies from State to State and even from area to area, ranging from 250 to 5,000, although the average size is 300. The jurisdiction of the Gram Sabha, in most of the States, is coterminus with that of the traditional or revenue village although in Assam, Gujarat, Jammu & Kashmir, Madhya Pradesh, West Bengal, Punjab, Rajasthan, Uttar Pradesh, Delhi, Himachal Pradesh and in the Andaman and Nicobar Islands a number of villages have been grouped together to form a Gram Sabha each.

1.3. The Panches who constitute the Panchayat are elected on the basis of well recognised wards, one member being chosen by each ward. The Chairman of the Panchayat in some of the States is elected by all the voters of the area, while in others the members (Panches) of the Panchayat elect the Chairman.

Functions of Gram Sabha

1.4. In most of the States the functions of the Gram Sabha are to:

(*i*) consider annual statement of accounts and audit report of the Panchayat;

(*ii*) review progress of work;

(*iii*) draw up plans for the next year; and

(*iv*) consider and approve/adopt the annual budget previously drawn up by the Panchayat.

In most of the States, besides this power of consideration of the budget, specific power for sanctioning the same also vests in the Gram Sabha which generally holds two meetings in a year, one for the consideration of the budget and the other for the general review of the activities of the Panchayat.

Panchayat, Panchayat Samiti and Zila Parishad

1.5. The Chairman of the Panchayat in most of the States is ex-officio member of the Panchayat Samiti, an institution that functions at the Block level. In some States, however, the Panchayats also elect an additional member to this body. The Panchayat Samiti is thus in both the events composed of representatives of all the Gram Panchayats of its area. The Zila Parishads in most of the States are composed of the Chairman of the Panchayat Samitis of the area who are ex-officio members of the Zila

Parishad; others who sit on the Zila Parishad are the members of the Parliament and of the State Legislatures of the area and a few coopted members. The constitution and functions of the Panchayat, Panchayat Samiti and Zila Parishad vary from State to State and although most of the States have this three-tier system, the powers allotted to the various tiers are not the same in each State.

Gram Sabha in History

1.6. The two forms of community in ancient India were :

(*a*) the Territorial Community of the village or of the town; and

(*b*) the functional or occupational community.

Government by the Community of the area has thus been part of the national life of India from times immemorial. Various references with regard to village Institutions in Rigveda, Manusmriti, Mahabharat, Balmiki Ramayan and detailed description in Kautilaya's Arthasastra support the claim that the village was the pivot of administration since the Vedic Age, itself. There were two kinds of villages in ancient India—the Ghosh and the Gram—the latter was bigger than the former. The Gram Mahatter and Ghosh Mahatter were the officials in the two types of villages. Manu calls the village official by the name of Gramini. Though this official was appointed by the King, he worked in accordance with the advice of village elders known as Gram Vridhas. The Gram Vridhas in their turn were chosen by the assembly of the village, variously known as the Sabha, the Samiti and the Gana and had considerable power and influence. One of the important functions of these was administration of justice. In the post-Mahabharat period one, however, finds that a remarkable development of the village republics had taken place. During Chandra Gupta's period every village was absolutely free in all matters relating to itself. It had its own Sabha. Representatives of all families in the village, the elders and other experienced people gathered there. The key figure in the village was the village Headman known as 'Gramik'. Though he was an employee of the State, his appointment always depended upon the choice of the village. Under the Pratihar Rule, the village headman known as the 'Grampati' administered the village with the assistance of the village council composed of village elders. There were also committees to look after other village affairs like Public Works Committee, Committee to look after excavation of tanks and wells, etc. Under the Chalukyas also the lowest unit of administration was the village where the Gram Sabha or the Village Panchayat was supreme.

1.7. Thus the 'State' in India had evolved through many forms from the small 'kingdom' of Rigveda to vast empires of Moryas and Guptas. These small 'kingdoms' developed according to the inner lanes of their own and were far more stable in character than the ever-changing empires. The 'State' exercised little authority over them except ensuring that the village bodies functioned properly within their own jurisdiction.

Primary Village Assembly

1.8. From the evidence available it is almost certain that all respectable house-holders were eligible to be the members of the Primary Assembly of the village. The administration of the Village Assembly was carried on

through an executive committee of Council known as Village Panchayat, in later times. The functions included the following :

(*i*) to elect the executive;

(*ii*) to consider matters of unusual importance, like the sale of public land to mitigate the miseries of famine;

(*iii*) to accept donations on behalf of the community;

(*iv*) to determine law and rates of revenue for the village; and

(*v*) to administer the same [as in (*iv*)].

This institution survived through the Mughal and Maratha times without any fundamental change. The functions of the Village Panchayats so known then, related to :

(1) Administration of justice.

(2) Internal defence.

(3) Construction & maintenance of works of public utility.

(4) Collection of taxes whether levied by the King or by the Panchayat.

(5) Education.

(6) Village sanitation and other social services.

To finance the activities entrusted to it, the Village Panchayat levied taxes, but most important part of its income, however, came from land.

British Period

1.9. The village institutions as described above, fondly called by Sir Charles Metcalfe, as 'Village Republics' continued to function for some time even in the British period. However, the direct relationship that came to subsist between the State and the individual under the Ryotwari system of land administration gave a final blow to the community life of the village and to the village body, *viz.*, the Panchayat. With the introduction of the system of Zamindari, some of its important functions were taken over by the State. In the highly centralised and secular system of administration introduced by the British all directions and guidance flowed from the district headquarters. The judicial functions of the local bodies were taken over by the judicial courts, thus replacing the Panchayat courts.

1.10. Serious consideration for the introduction of local government both in rural and urban areas was given only towards the middle of the nineteenth century although even this did not make much headway till the entire question was considered by the Royal Commission on Decentralisation early in the twentieth century. The Commission came to the conclusion that every village should have a local body to be entrusted with the following functions :

1. Management of village schools.
2. Judicial powers.
3. Sanitation.
4. Management of cattle ponds.
5. Management of small fuel and fodder reserves.

The Commission also suggested that a share of the land revenue or the land cess and special grants for specific purpose should be given to the Panchayats to enable them to meet their financial liabilities.

Post British Period

1.11. The National Government, installed in power after Independence, devoted attention to the introduction of democratic bodies at various levels and recognised the importance of the village institution, *viz.*, the Panchayat by including it in the Directive Principles of the State Policy.

1.12. The implementation of the Community Development Programme since 1952—its working in the various States with varying degrees of success, particularly in the direction of creating local initiative and active participation of the people in the programmes of economic and social improvement—led to the appointment under the chairmanship of Sri Balwantray Mehta of a Team which recommended the three-tier scheme of Panchayati Raj administration consisting of the Panchayat, Panchayat Samiti and Zila Parishad. According to the Team, the Panchayat Samiti was to be the pivot around which the planning and development of the rural area was to be developed and a system of organic linkage was provided by which the executive head of the lower tier became automatically a member of the higher tier. By the time the recommendations of the Balwantray Mehta Team came to be translated into legislative provisions in different States, thinking on the subject of democratic decentralisation had further advanced and it came to be realised that the Gram Sabha, that is, the body of all the adult voters of the village should be brought into the picture. Thus by the time the present Team was constituted, the States of Rajasthan, Uttar Pradesh, Mysore, Maharashtra, Assam and Andhra Pradesh had already introduced suitable legislations in their States to bring into being Panchayati Raj institutions, whereas most of the other States are due either to enact a similar legislation in near future, or to implement one in short time. Most of these States provide for a Gram Sabha, although its relationship with the Panchayat varies from one another.

Objective of Panchayati Raj

1.13. The object of setting up Village Panchayats with higher tiers having appropriate responsibilities was, to our mind, mainly three-folds, *e.g.*, (*i*) provision for efficient administration of local self-government for each area, where government will now be conducted by the people, and for them (*ii*) promotion and furtherance of the pace of developmental work, specially in the area of the lower tiers by providing for association of the villagers with the process of development and thereby (*iii*) to create a field and a feel for a participating democracy and community feeling to take shape in the lowest area of planning and development. Panchayati Raj was, therefore, not only an effort to ensure devolution of powers to a level best equipped to exercise them in view of the fact that power, now came as close to the people as possible, but this also represents an attempt to develop the concept and practice of participating democracy, as distinguished from representative governments which function at the State and Union levels. The resources available for development administration at the lowest base of the tier called the Panchayat, consist, by and large, of the village people themselves. The mouthpiece of the people, that is, the Gram Panchayat is

best equipped to assess and survey the felt needs of the community and the resources of the area so that the latter could be mobilized to fulfil the demands of the locality. Administration at the higher level requires policy formulation on matters, which do not concern the everyday life of the individuals, on whose behalf policies are formulated. Association of the bulk of the people of the country in the making of national and State level policies and programmes, which are of substantial technical and complex character, is neither an imminent need, nor is it always feasible. Programmes at the village level, however, are such as have definite bearing on the day-to-day life of people. The community government, therefore, is not only best equipped to assess the village needs and frame programmes at the village level regarding matters which affect everyday life of the residents of the area, but these cannot be achieved unless greater number of people are associated with the process itself. The resources which are available at the village level cannot be surveyed and tapped by the long arm of administration, trying to reach the people from a State headquarter, or the Central Government, which are located at far away places and whose social, psychological and physical distances from the community are formidable. The concept of a participating democracy, therefore, takes roots in the orbits of the small community where face-to-face relations obtain and the assets and liabilities of each other are best discerned. Of the assets available at the village level for purposes of planning and development—composed of land, labour and capital of meagre nature—labour occupies a rather important place in the context of the sub-marginally developed economy of rural India. Participation in planning is thus, not only sought for to suit the requirements of theory but is possibly the best guarantee for mobilisation of assets whose main input takes the nature of the labour of the participants. Such participation not only promotes contribution and provides opportunities to enhance the value of the assets, but the innate strength of the asset itself is enlivened and maximised by the very process of participation.

The Gram Sabha

1.14. If the constitution of panchayats at the village level strengthens the base of democratic administration and life in India it is evident that if the Gram Sabha, which is the institution of the entire adult population of the village, could be energised through participation in deliberation, decision-making and implementation, it could lend immense vitality to Panchayati Raj institutions as well as to the plans of State and national development. If every adult member of the village community, or for that matter as many as possible, could be associated with the task of village development and administration, the resources available for this purpose would, as has been observed earlier, not only be substantially augmented but this realisation of the concept of self-help and self-government would by itself help to strengthen the ideological as well as material foundations of our democratic republic. The Conference of Development Commissioners which met from time to time, as well as the Central Council of Local Self-Government held in 1959, had thus recognised, the possible potentialities of the Institution of Gram Sabha and recommended that statutory recognition be given through necessary legislation, to provide for its enlivenment. The Central Council of Local Self-Government which met at Hyderabad in the year 1959 observed :

> "Quite a few legislations recognise Gram Sabha as legal entity comprising the electorate of the Panchayat. There are others, however,

where there is no Gram Sabha and the process of election recognises as electors those men and women whose names appear on the electoral rolls for State Legislature. These do not recognise the electorate 'as a body'. There is, in such cases, no contact between the electorate as a body and the elected body. Where legislations recognizing Gram Sabha as an entity provide, among the other things, for two meetings a year when the Gram Sabha will be convened and the Panchayat would report the progress and present the budget, this has the beneficial effect of getting social sanction behind Panchayat activities and makes for greater people's participation. It is, therefore, felt that recognising Gram Sabha as a body and providing for at least two meetings, one for budget and one for review of progress, should be provided for in the legislation of all the States."

1.15. At a seminar, held under the auspices of the National Institute of Community Development, Mussoorie, in April 1962, the necessity of exploring the possibility of developing the institution of Gram Sabha was further mooted.

1.16. In Bihar and Uttar Pradesh the institution has been functioning from the year 1947, and in other States of India it has been of comparatively recent introduction. The task before the Team was, therefore, to investigate into the role that Gram Sabha, as an institution, has played uptil now in the various States where it is already found in functioning order, and, after such general review of the practical implications of its working, to make necessary recommendations regarding its status and the role that it should acquire in future. The Team could not gather, due to shortage of time at its disposal, enough first-hand data regarding the functioning of the institution in various States. The general impression gathered by the Team, however, made it evident that the institution of Gram Sabha, although has been in existence in some of the States, has not been functioning to the desired extent.

1.17. Of the two meetings to be held in each year, most of the meetings in most of the States, had to be postponed, the Team gathered, for lack of quorum; and even the adjourned meetings, which require no quorum, had also not been, on the whole, popular, judged from the point of view of average attendance. During the visits of the Team, we had occasion to observe some Gram Sabha meetings. We found that attendance in them was impressive but our inquiry showed that Gram Sabha meetings were generally very poorly attended and the figures of attendance given were also, in many cases, inflated. The interest evinced hitherto by the members of the village communities in the institution of Gram Sabha has, thus, been of a very limited character. The Team made specific inquiries to find out the reasons of this disorganised state of the functioning of Gram Sabha and these, incorporated later, will be dealt in detail. It would, however, suffice here to state that, in our opinion, the adult population of many villages where Gram Sabhas exist, were in most of the cases unaware of the rights and responsibilities which belonged to them as members of the Gram Sabha. It was likewise observed that the members of Gram Sabha could not quite often even distinguish between the Gram Sabha and the Panchayat of the village.

1.18. It was only in a very limited number of cases that the members of the village community were found to be aware of the purposes of the Gram Sabha. Neither did a large majority of the adult citizens in most

of the States show awareness of their duties, nor did they even know what was expected of them as members of the institution of Gram Sabha. In spite of its appraisal of the above situation, the Team was, however, impressed by the fact that almost everywhere in the country, once the idea of the institution of Gram Sabha was explained to the adult members of the village community and the power which might, thus, come in their hands after the institution is established were described, considerable enthusiasm for such an organisation was visible. This was true, the Team found, not only of the members of the village communities but of people of different levels and descriptions, who were interviewed by the Team from time to time, although not all of them were agreed on the question of what powers and functions could be assigned to Gram Sabha. The Team had also noted that in many places, where the people were aware of the existing functions of Gram Sabha, as well as of their own rights, but, not satisfied with it, a sense of frustration, stemming from lack of effective powers to redress grievances arising from bureaucratic functioning of the administration and of resources, still prevailed among the people of the area and led to their further ineffectivity. The Team, thus, considering all the available evidence collected by it, has come to the conclusion that Gram Sabha is one of the best ways to make the people take live interest in their own problems and that there is perhaps no better way in which this could be achieved. If the institution was, however, still to take shape, reasons for this were not far to seek.

Reasons for disorganisation of the Gram Sabha

1.19. It has been the finding of the Team that Gram Sabhas, even where they have been statutorily established, have not been in a functioning order. Given below is a consolidated statement of the reasons, for which the Gram Sabhas, in our opinion, have not been, as yet everywhere, well-attended :

(*i*) *Lack of awareness* : The villagers generally are not even aware of the separate existence of the Gram Sabha as an institution as distinguished from the Panchayat. Even where the villagers could recognise that these are two different bodies, seldom have they been aware of their rights and responsibilities as members of the Gram Sabha. However, even when the villagers have been aware of their rights, a sense of lack of effective rights and powers belonging to them as members of the Gram Sabha, has led to the same results.

(*ii*) *Personal nature of village politics* : A study of dynamics of village politics has made it evident that votes in Panchayat elections are generally cast in favour of, or against personalities. The villagers while exercising their vote, do not take into consideration policies, programmes or ideological concepts. When, therefore, a particular leader is elected to the Panchayat, the villagers who have elected him feel that their duties have ended and that the leader would now act for them. Those members of the community, who might have opposed him and have been supporting an alternative leader—the opposition group; when they see that their alternate leader does not take any interest in the working of the Panchayat, they also find no point in attending Gram Sabha meetings or taking any interest therein.

(*iii*) *Lack of common venue* : Absence of a well recognised common venue for Gram Sabha meeting in each village has also been responsible

for disorganisation of the Gram Sabha. A number of villages are often grouped together under a Panchayat and the size, thus, being unwieldy, it becomes difficult for people of different mouzas/wards/villages to attend the Gram Sabha meetings at a distant venue.

(*iv*) *Lack of time* : The meeting of the Gram Sabha when held at a time when the villagers are not free retards participation. If these meetings are held during the off period or on festival days, the situation would be different.

(*v*) *Lack of communication* : The usual method to announce date, time, and venue of Gram Sabha meetings has been beating of drum. The Panchayats, however, usually do not take any interest beyond ordering beating of drum; it has thus been found that the chowkidars sometimes even do not beat drum and even if they do so, it is not done properly and very few people, as a result, become aware of the impending meeting of the Gram Sabha.

(*vi*) *Unwillingness of the Pradhan/members of the Panchayat* : The power structure of the Panchayats is not often keen that the Gram Sabha should meet and more so in view of the fact that the opposition leaders in the Gram Sabha may raise embarrassing questions. The ruling elite of the village, therefore, sometimes even go to the length of ensuring that Gram Sabha meetings are not properly advertised. The members of the opposition group, it has been often found, have taken keen interest to similarly ensure that their followers do not attend Gram Sabha meetings. There is, therefore, in the politically conscious areas, a virtual boycott of the Gram Sabha meetings by the opposition group.

(*vii*) *Apathy of the villagers* : The villagers are aware of the doubtful value of the Gram Sabha and they find it more useful to be engaged in their own productive venture, or to even enjoy leisure at home, rather than attend the Gram Sabha meeting, which is of no direct interest to them. This apathy, which is also visible in municipal areas, etc., is all the more evident at the Gram Sabha level.

1.20. Experiences of the Team from the evidence available to it, thus, made it clear that there were many inherent difficulties in the socio-political climate of the country itself which stood in the way of smooth functioning of Gram Sabha, and that in spite of its importance it would take time for the organisation to grow and gather strength, even if statutory provisions were made to transfer substantial power to it. The Team, therefore, although recognising the importance of the Gram Sabha, realised that the full development of this institution cannot be achieved merely by grant of statutory powers. It appreciated at the same time that tradition, gradual process of growth, and conscious effort for its promotion will have to ultimately determine the exact shape and form the institution will take over years; the Team, therefore, primarily engaged itself (*i*) to define the immediate role that Gram Sabha should play as the lowest base of the Panchayati Raj administration and (*ii*) to enumerate the steps, which should be initiated to enable the Gram Sabha, through practice, self-education and gradual development to occupy its real place in the scheme of things. If and when the village communities through the institution of Gram Sabha really develop into vital, aware of oneself, and functioning bodies, its tremendous potentialities seem to be obvious and the Team is aware that it is only when the concept of a participating democracy is

fully realised, that much of the promises which the Panchayati Raj institutions hold out today, will be adequately realised. The Team, therefore, in the pages to follow has made certain specific recommendations regarding the role that institution of Gram Sabha should play in the light of its potentialties. The Team realises that it is only through the practice of the immediate role assigned to it that the institution would be able to gather the necessary momentum and grow into an effective organisation of the village people. It may be necessary, when such logical development in the status of the institution takes place, to endow it with more powers and functions and a time would come when the institution developing into a real base of village participation may demand the same in large measures from the higher tiers, on its own right.

Regeneration; the Objective

1.21. The essence of Gram Sabha lies in the regeneration of the village community. It would, however, not be proper to conceive that popular regeneration in an optimum measure could come only by the mere creation of the institution, or even by the practice of the powers and functions which may be recommended by the Team, for, popular regeneration is not dependent only on constitutional arrangements. Specific measures can hardly secure popular upsurge, rising and enthusiasm, which depend, to a great extent, on the existence of a special atmosphere in the country. Some fundamental changes are, therefore, called for in our conception of the functions of democracy, if we are to evolve a correct picture of Panchayati Raj in our country. This concerns re-examination of the role of political parties, a total rejection of the general norms of majority behaviour, and of decision by majority. The Gram Sabha as an institution may initiate some of these steps, but if these norms and these measures have to be rooted in the body politic of these institutions, they will have to be given opportunity to influence the higher tiers and other allied institutions as well. The idea of community government and of a community itself, it has got to be realised in the context of our rural society, is more an ethical concept rather than a material reality. The present-day village communities consist of large number of groups, which have different and even conflicting interests. The rising expectations of the 'rural elite' who try to control these groups drive further edges into the social structure and effect the bonds of unity which, if at all, exist in the village community to bind its loose groups together. Some of the fundamental concepts, which are the current features of our thinking, in this field such as the belief that a single cooperative society could attend to the divergent needs of the different sections of the villagers, will have to be changed in the light of this realisation. The concept of a community, which is horizontally and vertically torn into groups and sections, render the possibility of the growth of such all-village institutions doubtful. The Gram Sabha as an institution, and as envisaged, will have to deal not with the problems of a particular group or segment, but with those of the village community as a whole. If the concept of a 'community' is itself somewhat unreal, the concept of an all-village institution cannot be, if one may say so, any more concrete. The Team, however, recognises that this very nature of heterogeneity of the rural community provides by itself an important argument for the initiation of measures to secure coordination among its various segments. This would help some amount of homogeneity to grow and pave the path for united and concerted efforts, on the part of the rural

community, to take place. Such coordination would, it is true at the same time, in turn, make it possible for all-village institutions to grow and find their place in the rural community.

1.22. Presented above are some of the fundamental gaps which, we presume, exist in the socio-political thoughts on the contemporary movement of Community Development. It is, however, to be appreciated that the speed of the growth of an institution like that of the Gram Sabha, which must have a social base, is, therefore, bound to be slow and slower than any of its higher tiers, *e.g.* the Samiti and the Panchayat. Experiences of functioning of Gram Sabha in different States, the Study Team feels, have considerably reinforced these conclusions. The long-term development of Gram Sabha as an institution will be dependent on the long-term development of the concept of an integrated rural community, which is yet to take shape and to be realised over a period of time. The development of such a community could be, one is sure, guided by suitable action initiated at different levels of administration and in different sphere of activities. 'Antyodaya' the new vista for development of all people, irrespective of their class or caste, and an atmosphere of austerity where mere possession of wealth cannot lead to conspicuous living and progressively increasing equality of opportunities are some of the constituents of this climate. It would, therefore, be wrong to expect too much over too little time from the institution of Gram Sabha. The recommendations of the Team will have to be considered against the background of the above realisation and of the limitations, which, it recognises, exist today in the concept and functioning of the present-day village community in India.

CHAPTER II

GRAM SABHA—ITS ROLE

If in the preceding Chapter we have cautioned the reader, not to expect too much to take place, and too soon, as a result of the functioning and development of Gram Sabha, it is only due to our appraisal of the real situation obtaining in the field and of which we think a planner should take note. The Team is, however, convinced that if decentralisation of democratic power is to be meaningful and vital, responsibilities in varying measures will have to be devolved on the Gram Sabha. Insistence on the institution of Gram Sabha is not, however, prompted by mere theory or dogma but, it is essential on the balance to take steps to endow the institution with necessary complement of status, role and responsibilities, backed by provision for required guidance and administrative support in order that the entire adult population could play their part in strengthening the scheme of democratic decentralisation. Having said that, it is necessary at the same time to refer here to some of the apprehensions that have been expressed by several individuals and organisations whom the Team have met and interviewed during the course of its investigation and study. These reflect dangers which lie inherent in the institution of Gram Sabha. Enumeration of these will go a long way to help us in acquiring a proper perspective regarding the present potentialities and future role of Gram Sabha.

Possible Dangers

2.2. Any programme of vitalisation of the Gram Sabha could, thus, be drawn up, to many, only at the cost of the powers, prestige and administrative efficiency of the Panchayat. For, if Gram Sabha is saddled with direct responsibilities for decision and policy making, which should normally belong to a smaller body, that is the Panchayat, this would weaken the Panchayat itself. Decision-making in Gram Sabha involves a long dilatory process. It is difficult even to arrange an assembly of all village adults, or of even such substantial sections of village population which would constitute the quorum. This and other, allied factors such as the difficulty of ascertaining the consensus of a big body like Gram Sabha account for the alleged apprehension of delay in the execution of works by the Panchayats. The latter, in the event of grant of certain powers to the Gram Sabha, will have naturally to wait till the Gram Sabha could meet and express its consensus.

Growth of factions

2.3. Panchayati Raj elections, it is common knowledge today, have itself brought to the fore many existing rivalries of village factions, and have in some measure accentuated the same. Since these elections take place once in three to five years, the rivalries which become acute at the time of elections probably disappear over a period of time, but if the Panchayat has to refer issue for frequent consultations to the Gram Sabha, each event of consultation would, there are fears, lead to refreshing of the unhappy memories, aggravate factions, and add to the process of disintegration. Success in administration needs quick and integrated decision as well

as careful and concerted action, on the part of the administrators. If and when Gram Sabha is associated with decision-making or implementation of matters of administration, this would involve delay, raise factionalism and weaken, if not make it impossible, for administration to function. There are many who believe that if the Gram Sabha is strengthened, administration and maintenance of law and order will be particularly difficult. If the experience is, that the Panchayat itself has been sheltering offenders and, thereby, creating problems of law and order in the event of power coming in the hands of Gram Sabha, the numbers and extent of such deviations would naturally increase. The dangers are particularly aggravated in view of the fact that it seems difficult for an institution like the Sabha to even express itself. The present situation is that the Gram Sabha does not meet at all, and even if it meets, there are only a few who attend these meetings. If, as a result of extension activities initiated by the catalysts of C.D. programme, effective cooperation is secured for each meeting, and villagers in large numbers attend these, it would be difficult, in an assembly of 1,000 to 1,500 people, to ascertain their views. The only formal and traditional method of finding out the consensus, which evidently is voting on particular issues, will frequently lead to confusion and provide further sources for disintegration. There is yet another point of view which has been represented to the Team with vigour. Advocates of this school offer arguments, which not only question the propriety of endowing Gram Sabha with powers, but express misgivings regarding strengthening of the Panchayat itself. They hold that the area of village is too small a unit to provide either resources or leadership for the development of the institution of Gram Sabha as well as that of the Panchayat. The Panchayat should, therefore, according to this opinion, cover a much bigger area, and in that event the size of the Gram Sabha will become all the more unwieldy. Yet, even after catalysts use extension techniques, it would be too much to expect, judging from the present-day situation, that the villagers in large number would take effective interest in Gram Sabha and lend useful hands in decision-making or implementation. It would, therefore, naturally be left to the village leaders and vocal sections of the community, who would, thus, come to win substantial powers and exercise the same, which the officers were hitherto enjoying. The village leaders, according to this school, are less educated and more self-centred and may, therefore, not be in a position to do full justice to these powers, which may fall in their hands. It is not the purpose of the advocates of this school to under-assess the merits of the present-day leaders, or for that matter to under-estimate their position. There is not much scope, they argue on the other hand, for the village leaders to find educational opportunities so that they could be trained to grasp the real nature of village problems and to understand that the general and basic needs of the community need be attended to first and even at the cost of one's individual interests (and even for the effective fulfilment of the latter). This, in effect, makes the village leaders less objective and broad-minded, who consequently grapple with the problems of immediate and particular interests and tend to create a situation where the interests of many and specially those of the backward sections suffer. The modern States use a number of technical services which are of both technological and social import and are available at the higher tiers, whose absence at the level of the village or of the Panchayat, makes it difficult, if not impossible, for the leaders to develop an objective and balanced view of the village problems. Local interests of the functioning leaders, who, therefore, cannot rise above kinship, caste, ward and class considerations, are prone

to violate general considerations of propriety, equity and justice and may lead, in turn, to frittering away of the limited community resources available for administration and development of the rural areas. These are some of the fundamental objections which the advocates of the above school hold; they warn that it would, therefore, be undesirable to transfer powers in any large measure either to the Panchayat or to the Gram Sabha. It will be on the other hand, they maintain, logical to strengthen the higher tiers first and then gradually shift our attention to the lower ones.

2.4. There are, however, others who believe, in sharp contrast to the views mentioned above, that Panchayati Raj can succeed only to the extent to which people would participate in the functioning of all its various institutions effectively and intelligently, and it is not possible to achieve this if only one institution of Panchayati Raj is developed at the expense of all others. This view, therefore, pleads for initiation of immediate action to ensure that a wholesome picture of Panchayati Raj is evolved by transference of powers to all the tiers, capable of exercising them at the same point of time. The powers, according to them, could even be transferred to such a tier, namely the Gram Sabha, which today may not be capable of exercising the same, but through actual exercise and 'feel of it' would be able to do so in course of time. 'Open up opportunities of education and self-help; they say, and even the village community would rise up to your expectations.' There are dangers in consolidating powers, they warn, only in one of the tiers. For, to them, development of the various tiers, and even of a particular one, is dependent on the opportunity given to that particular tier not only to act freely and independently in its own sphere, but also on the checks and balances, which are provided by others, higher as well as lower tiers, to its functioning. The advocates of this school, therefore, plead for transfer of power, at least in some measure, to the Gram Sabha, even if that has to be done at the expense of some increase in corruption, sporadic negligence of people's interests and a temporary slowing down of the tempo of development itself. If democratic decentralisation must have its full trial, a start will have to be made to vest powers into one of the lower units and it is not impossible, they say, to even devise measures to provide safeguards against the fears expressed earlier.

2.5. The Team has carefully considered both the points of view and has come to the conclusion that it is necessary to bring Gram Sabha into the picture and to provide gradual strength to the institution. The essence of democracy, in the opinion of the Team, does not merely consist in offering a good and efficient government at a particular level, but it lies in its ability to strengthen the cohesive functioning of that particular institution. The Gram Sabha could alone help to create a climate which would secure the essentials of democracy and endow the total governmental structure of the village community with a social base. To develop adequate objectivity and a balanced view towards village problems, we feel that what is required is not certainly to deny the right of self-government to the village but to provide opportunities of effective education to the general mass of the village community as well as to its elected members. The opportunity of participating in Gram Sabha (and Panchayat administration) represents by itself an important phase of this process of self-education and development. In other words, the Gram Sabha cannot and shall not grow and decision-making will not be channelised in the right direction, unless the members learn to act. The process of action will, thus, itself be the best

guarantee for removal of some of the stumbling blocks which the critics consider will disintegrate the village community, if and when it is allowed to control its own destiny even in matters of day-to-day administration. The only answer to the manifold arguments provided by those who would doubt the potentialities and use of village level institutions, *e.g.*, the Gram Sabha and the Panchayat, therefore, lies in allowing the village level institutions, especially the Gram Sabha, to come to its own. The Gram Sabha, the Team recognises, would especially ensure development of internal checks and balances on the misuse of authority by the Sarpanch (Panchayat President) and Pradhan (President of Panchayat Samiti) as well as on the work of officials of various levels. It would, at the same time, also provide support and strength to the executive functionaries who man Panchayati Raj administration by securing for them popular support and help. If ignorance, apathy, lack of public spirit and leadership threaten today the balanced growth of the rural community, the initiation of the institution of Gram Sabha is in itself an adequate and proper remedy against these evils.

2.6. But this task of bringing the Gram Sabha to an effective position in the village community could be best achieved, we feel, by strengthening the institution of Panchayat, which is the executive of the village assembly and also the administrative organ through which the higher tier local government institutions work. This has to be done by extending the sphere of its activities and also by making more funds available to enable the Panchayat to attend to the felt needs of the village population as brought out at the meetings of voters. One very important reason why the Gram Sabha has failed to attract the villagers is that by and large no effort has been made to discuss and find solutions for their felt needs and basic problems. In the present, a villager will not get interested in matters of village development unless his basic problems are attended to. In areas where this has been tried even to a limited extent, the attendance at these meetings has improved and the villager has shown greater interest. It will, therefore, be necessary to develop the Gram Sabha as a forum where people could discuss all their problems relating to the village. For these discussions to be purposeful, it is necessary to transfer some of the subjects relating to non-development activities of semi-regulatory character to the Panchayats.

2.7. Gram Sabha will not inspire attendance, unless its members know what they are discussing as well as that their views and consensus on various subjects are going to throw their impact on some organisation or the other, which possessed powers to implement them. The Panchayat could naturally be this organisation, whose jobs and duties could be subject to checks and balances to be provided by the Gram Sabha and the public opinion of the village. Since the Panchayat and the Gram Sabha will mutually interact, strengthening of the executive will naturally strengthen the general body. It is the experience of the Team that the members of Gram Sabha, and for that matter the village people at large, generally depend on the State and not on themselves to find solution of their manifold problems, and that such an attitude is due often, in addition to the reasons stated above, to a number of other causes. These are lack of self-confidence on the part of the villagers and absence of effective leadership, power, authority and resources in the village. This, however, as we have said earlier, is a vicious circle; for lack of self-confidence is due to inability on the part of the community to solve its problems and problems cannot be solved, once again, due to lack of knowledge regarding a correct appraisal of the causes of the problems,

as well as of resources required and available for removal of these. Lack of knowledge and of resources is, at once, due to, and are product of lack of authority and power, and if the circle is to be broken at some end and a start has to be made somewhere, it may as well be done by strengthening the Panchayat. It would be premature, we feel, to effect this break by transferring administrative and policy-making powers to the Gram Sabha in view of the fact that the institution is still an ineffective body. To start with, the Gram Sabha may, therefore, be developed as an advisory body, whose opinion would substantially affect public opinion and indirectly mould the ways of working of the Panchayat. But the body whose opinion it would mould, that is, the organisation on which it would learn to throw pressure, must be a vital one. The responsibility of attending to all the felt needs and difficulties of the village should, therefore, fall within the purview and administrative jurisdiction of the Panchayat. The problems which agitate the minds of the villagers such as problems of village sanitation, mutation, education, water supply, public health, purchase and sale of commodities, digging of well, development of agriculture, soil conservation, grazing land, local irrigation, forest and industry, should be those on which Gram Sabha could cast its opinion and express itself. Similarly the administration of loans channelised through cooperatives and/or of Government loans, tacavi grants etc. should be discussed in Gram Sabha meetings and opinion obtained for such action as the Panchayat would take for influencing appropriate authorities to consider such works. In order to ensure that the opinions of the villagers expressed in Gram Sabha and the gathering of public opinion could help solve the basic needs of the community, the executive of the Gram Sabha should, at least, have more powers and functions. The powers which we recommend, should be, accordingly, vested in the Panchayat, are being discussed hereunder :

Functions of the Panchayat

(1) Officials of the village level, belonging to the development departments, should take into consideration the views of the Panchayat, while discharging their developmental functions.

(2) The Panchayat should be authorised to deal with matters relating to mutation, allotment of agricultural land, grazing land, forest rights of the village, distribution of water for irrigation and such other functions. For proper discharge of the functions entrusted to it, the village officials of different departments should be answerable to the Panchayat.

2.8. It was represented to the Team at various places that the Panchayati Raj Institutions, especially the Panchayats, have consistently suffered owing to the apathy of the officials and specially of those who belong to the nation building departments. The consensus is that the representatives of these departments, who function at the village level have often ignored the Panchayat. It is necessary, therefore, (1) that the lower grade officers at the village level should be guided by the Panchayat; and (2) the nation-building departments should function in collaboration with the Panchayat especially at the times of village emergency. Similarly, as has been suggested earlier, the question of distribution of cooperative loans, tacavi loans, grant of licences and other similar matters should be discussed in the Gram

Sabha and Panchayat meetings. Since the Gram Sabha will now discuss the performance of development organisations in their various fields of activity, it is necessary to ensure that these grievances are properly attended to and that officers of the village and block levels, and wherever necessary and possible even of the Tehsil and district organisations, attend the meetings of Gram Sabha in a planned manner and provide opportunities to the villagers to ventilate their grievances.

Strengthening the Gram Sabha

2.9. The Team feels that if the Panchayat is strengthened in the above manner, it would indirectly strengthen the institution of Gram Sabha itself. The members of Gram Sabha would then take an effective interest in its meetings, as they would be free to bring up their day-to-day complaints regarding such matters which affect their day-to-day life and all those for which they could seek redress from the Panchayat. If the complaints of individual villagers, for example, could be dealt with through the Panchayat, and the Gram Sabha is given an opportunity to discuss these complaints and lay down measures for combating the same, the power is indirectly exercised by the Gram Sabha, itself. Day-to-day problems arising out of bureaucratic injustices, difficulties of taxation, mutations, water supply, grazing, location of industries, allotment of land, enjoyment of forest rights and implementation of development schemes, such as distribution of irrigation water etc., confront the villager. If the latter, however, knows that by going to the Gram Sabha meeting he could discuss and even secure redress of some of these major problems, he would, to a very great extent, find interest in the institution which would, thus, become more effective. As we have said earlier, one of the most important reasons why the average villager does not come to the Gram Sabha meeting is that matters of his immediate concern have no place there today. If the Panchayat could be strengthened in the manner suggested therein, an average villager will, in fact, have a lot to do with, and probably a lot to expect, from the Panchayat. The recommendations made herein ensure, according to us, that effective powers will belong to the village itself, although the Gram Sabha will not be saddled with too big a burden, bigger than what it could carry. The next step obviously is to ensure that villagers become aware of what is being transferred, and to whom, and learn to take steps so that the agency vested with power fulfils its obligations and the villagers in a body play their role.

Projected role of the Panchayat

2.10. In dealing with the present lack of interest of the members of Gram Sabha in the affairs of the village Panchayat, if we thus indicate that the main reason for this indifference is due to the fact that the powers and functions of the village Panchayat are insufficient to enable it to meet the genuine needs of the villagers, and to remove their difficulties, it may be worthwhile to emphasise that the development of Gram Sabha will to a very great extent naturally depend on the growth of the Panchayat itself. It is relevant to point out, in this connection that though we are inclined to consider that the Panchayat is the government of the people at level of the village, the resources and functions provided to that body hardly match with this designation. No Panchayat at present considers it its duty to ensure that the people in its area do not suffer from lack of employment

or that it has any responsibility for insuring the village crops, or floating schemes of health insurances and so on. Neither do the Panchayats have resources at the moment, nor the will or capacity for undertaking such work, nor is there any sense of obligation for this. As time progresses however and as Gram Sabhas become more and more active, it is evident that the panchayats' sphere of work will have to progressively increase. Even police functions which are completely out of their functioning, may one day have to be transferred to them. It is necessary, therefore, to plan for the future on the basis of providing for increased demands and needs of these bodies. If democratic decentralisation has to be a success, it may find fruition in the progressively increasing activities of the Panchayat, Panchayat Samiti and Zila Parishad in that order.

Status of Gram Sabha and Relationship with Panchayat

2.11. Gram Sabha should in our opinion, be statutorily recognised in each State inasmuch as the body of the adult voters of a Panchayat area should have a legal entity. The meetings of the Gram Sabha, as provided in the statute of most of the States, are held twice in a year. Our feeling is that these meetings should be held as frequently as possible and certainly more frequently than is the practice today. There should be, in our opinion, one meeting in every quarter, if not one in every two months.

2.12. The Gram Sabha, as we have seen, consists of all the adult voters of the village. The Gram Panchayat is elected by the residents for discharging the duties and functions laid down by the Gram Panchayat Act of the State. In those States, where the institution of the Gram Sabha does not operate, the Gram Panchayat has absolute discretion in the exercise of its powers and functions. In others, the intention is that these powers and functions should be exercised in accordance with the wishes of the Gram Sabha.

2.13. The powers and functions of the Gram Sabha have been laid down in the various Acts applicable to the different States. They generally prescribe that the meetings of the Gram Sabha should be held twice a year and that the budget should be placed for consideration before the Gram Sabha and passed by it.

2.14. Once the Gram Sabha starts functioning in any village Panchayat area, its views are bound to exercise a guiding influence on the deliberations and decisions of the Gram Panchayat. But our experience is that even in those States where the institution of the Gram Sabha has been introduced by statute as early as 1947, it cannot be said that the institution has been functioning there in any real sense of the term. Generally the Gram Sabha meetings are thinly attended, and a quorum is seldom achieved. This is so even in those villages where the village leaders have been able to obtain in considerable degree, local contributions for the various amenities provided in the village. In our view the best evidence of local participation is the making of such voluntary contributions. But even in such villages, a quorum for the Gram Sabha meetings was difficult to obtain. and the requirements of the statute had to be satisfied by the device of an adjourned meeting for which no quorum was necessary. In our view, in deciding about the future relationship between these two institutions, the relevant consideration has to be borne in mind that, for some time in the near future, Gram Sabha meetings would continue to be thinly attended.

2.15. Another experience of ours of these Gram Sabha meetings has been that there is considerable lack of intelligent participation at these meetings even by the few who are present. The Sarpanch or the Mukhia conducts the proceedings, but discussion is seldom, if at all, held. The whole proceedings appear more as a legal formality which has to be gone through, than an occasion in which the members of the Gram Sabha find an opportunity for approving of, or dissenting from the measures put before them. This is so even in those cases where the Sarpanch or Mukhia is genuinely anxious to ascertain the views of the members.

2.16. The reason for this state of affairs is to be found in the situation in the country wherein the people tend to rely on their elected representatives and are reluctant to take any part themselves in those matters which are dealt with by them. The institution of the Gram Sabha is being introduced so that this situation may undergo a change, but this reality has to be squarely faced in arriving at a conclusion on the relationship between the Gram Sabha and the Gram Panchayat.

2.17. We have considered the view, advanced before us that a general provision requiring prior approval of the Gram Sabha for all that the Gram Panchayat, will do, will be putting unnecessary fetters on an active Gram Panchayat, particularly in the context of our observation that these meetings are thinly attended and those present are not usually inclined to participate intelligently in matters placed before them. On the other hand, it has been urged equally vigorously that once the people feel that their opinion is neither binding, nor a prerequisite, they would cease to have interest, and the Gram Sabha meetings would continue to be thinly attended.

2.18. It is generally agreed that in the final pattern of relationship, the Gram Panchayat should be responsible to the Gram Sabha. The question which we are concerned with at the moment is whether this relationship should be allowed to develop gradually through a process of convention or should it be laid down as a universal pattern to be followed immediately by all the States.

2.19. The issue appears to us to be largely academic, in view of the present development of the institution of the Gram Sabha. Once the institution comes into being, it is bound to influence the thinking and decisions of the Panchayat. To make its previous concurrence necessary for all decisions and acts of the Panchayats, would fetter many activities of Panchayats in view of the two drawbacks in the institution of the Gram Sabha already referred to. On the other hand, we are clear that the annual budget and the review of the work of the Panchayat must be placed before the Gram Sabha meetings and necessary modifications in them should be made by the Panchayat in the light of the views expressed by the Gram Sabha (*vide* Powers of Gram Sabha in Chapter IV). Not only this but on every matter of any importance, the practice should be laid down that the Gram Sabha should be consulted as often as possible. Indeed, we visualise many more meetings of the Gram Sabha than the two prescribed by law. We also recommend that specific steps should be taken for activisation of the Gram Sabha, some of which are appended herein :

(i) *A common venue* : The meetings of the Gram Sabha should be held by rotation in its constituent villages but the place of meeting in each

village should be common over years, so that a tradition grows around the meeting place of the village assembly.

(ii) *A convenient date* : The meeting of the Gram Sabha should be held on a day when the village people are not busy in their fields or other activities. The day and time of the meeting should be announced in advance and if possible be fixed up in the previous meeting itself. The other suggestion in this regard is that a list of dates on which the meetings of the Gram Sabha would be held during the whole year and the venues of the meeting should be drawn and publicised at the very beginning of the session. It has also been suggested that it would be a good idea to hold meetings of the Gram Sabha on days when the villagers are relatively free, such as on religious festivals when they would be more willing to stop business and come for a community gathering. In this connection it may be mentioned here that in each region of the country there are certain important festival days on which the villagers take a respite from the agricultural operation, *e.g.*, Ram Naumi, Janmasthami, Rakshabandhan, Dussehra, Diwali, Sivaratri, Id, 'car' festival and a host of other religious festivals. It was, for example, suggested that in Uttar Pradesh farmers do not plough their fields on the Amawasya day and they would be more willing to assemble for the Gram Sabha meetings on this day. Meetings could similarly be held during the slack seasons when agricultural operations are not so pressing. Gram Sabha meetings shall as far as possible be held in evening so that the labouring classes could be encouraged to attend.

(iii) *Presence of officials* : As suggested earlier, the officers of the village and Block levels, and wherever necessary and possible even of the Tehsil and district organisations, should attend the meetings of Gram Sabha in a planned manner in order to stimulate the interest of the members as well as to help make the question hour (*vide* functions of Gram Sabha : Chapter III) effective, and provide opportunities to the villagers to ventilate their grievances.

(iv) It was also suggested that a recreational programme or a film show may be held immediately before or after the meeting of Gram Sabha. However, our experience is that, if it is held before the meeting of Gram Sabha, the villagers tend to show no interest in the proceedings of the meeting beyond witnessing the recreational programme. We, therefore, feel that such programmes, whenever and wherever possible, may be held after the Gram Sabha meetings.

In the initial stages of functioning it would be, therefore, advisable to allow the relationship between the Panchayat and Gram Sabha to develop through a process of convention than to be made hide-bound through the provisions of a statute. Indeed, if a demand for control over the Panchayat comes from the Gram Sabha, as it grows in stature, that is, if the majority of Gram Sabhas in a particular Panchayat Samiti area, or the Gram Sabhas in all Panchayat Samitis of a district, by a resolution carried by a good majority attending such a meeting of Gram Sabha, demand that it would have such powers: as would make it incumbent for the Panchayat to take prior approval of the Gram Sabha on certain or all matters, the State Government should be moved for such demands.

CHAPTER III

FUNCTIONS OF THE GRAM SABHA

Size of the Gram Sabha

3.1. The Team examined the question of size of Panchayat in some detail, but decided not to come to any conclusion on it, since this is being dealt with by a separate committee. Considering from Gram Sabha angle, we feel that a population of 1,000 to 15,000 could properly have a Gram Sabha and, where the population of the Panchayat is large, meetings could be held wardwise. Such ward meetings could be called 'Up Gram Sabha'. Where the area of a Panchayat consists of more than one village and, if the villages are separated by a longer distance, Up Gram Sabha meetings could be held in each village. Holding Up Gram Sabha meetings will not do away with the necessity of holding Gram Sabha meetings, but the advantage of having Up Gram Sabha meetings is that they would largely supply for the deficiencies of Gram Sabha meetings not being well-attended.

Quorum for Gram Sabha meetings/requisition meetings

3.2. In view of our earlier observations, although we are not very much sure how far it will be possible for the Gram Sabha to realise much attendance at the earlier stages, it will be necessary to have a quorum both for original, as well as for adjourned meetings of the Sabha and such quorum in both the cases should be formed by attendance of 10% of adult voters in the Panchayat area. This would ensure that the Sarpanch gives adequate attention to secure attendance for adjourned meetings of the Gram Sabha. In our opinion 10% of adult voters in the Panchayat area should, similarly, have the power to requisition for a meeting of the Gram Sabha.

Decision-making in the Gram Sabha

3.3. Decision-making in Gram Sabha meetings, in the opinion of the Team, should always be achieved through arriving at consensus. The existing practice in most of the States, where Gram Sabhas exist, is three-fold that is, decisions are arrived at by (*a*) voting through show of hands, or change of seats, (*b*) unanimous elections, and (*c*) lots. It was suggested that if a consensus cannot be arrived at in a single sitting, the meeting should be adjourned, so that sufficient cooling off period is allowed to each member and a consensus could be possible at the next meeting. If, however, a decision has to be acquired by voting, two-third majority of the members present should be insisted upon.

Powers of Gram Sabha

3.4. The Panchayat should submit quarterly report to the Gram Sabha regarding its working. These repots should be discussed in the Gram Sabha meeting and the observations and comments thereon should be recorded for the consideration of the Panchayat. The members of the Gram Sabha should be allowed to make their own proposals on all matters of local

interest. The Panchayat should be under an obligation to invite opinion of the Sabha in the following. matters, which should form the main agenda of the Gram Sabha meetings :

1. Plan and budget of the Panchayat.
2. A note on the progress of village production plan and its implementation.
3. Six-monthly report on the working of different functional committees.
4. Annual report and accounts of the Panchayat.
5. A summary of the annual report of the Panchayat Samiti.
6. A six-monthly report on the working of the village farm.
7. Six-monthly progress of the community works under construction.
8. A quarterly report on the utilization of medium and long-term loans.
9. A review of the working of the V.V.F. and D.L.B.

3.5. The Gram Sabha may also request the Panchayat/Panchayat Samiti to conduct examination of any particular matter or to propose a concrete solution.

Panchayat/Panchayat Samiti should as a rule always consult the Gram Sabha in regard to any important steps which it proposes to take up in the area concerned. In short, Panchayat should consider themselves generally responsible for their work to the Gram Sabha.

Budget

3.6. The most important function of the Gram Sabha is consideration of the annual budget prepared by the Panchayat. This is even now expected of the Gram Sabha in most of the States where the organisation exists. The budget drawn up by the Panchayat, just as the agricultural production plan, is incomprehensible to the common villager and the meeting of the Sabha which generally considers it has almost become a ritual. If the Sabha has, however, to take effective interest in this important activity, steps must be taken to ensure that the budget is drawn up in simpler forms so that the members of the Gram Sabha could understand its mechanism and could treat it with due consideration. This is, may be, a fit item which could be discussed in the ward meeting first, before it is taken up by the Sabha for discussion. The Team recommends that the Panchayat may prepare a short note providing a summary statement of the budget and place the same for the consideration of the Gram Sabha along with the budget. This may also be displayed on the village notice-board at a prominent place, so that any group/voluntary organisation or individual members interested in discussing the budget in their own institutions could do so before its official consideration in the meeting of the Gram Sabha. This would enable the members to comprehend the budget in a more effective manner. The other important items which could be profitably discussed in the ward meetings are plans for agricultural production, defence labour bank, village volunteer force and programme of welfare of women and weaker sections.

Functional Committees

3.7. To realise the objectives of participating democracy in full, it was considered advisable that the Panchayat should set up a number of functional committees which would also include members of the Gram Sabha and a member of the Panchayat should be its chairman/convener. The Panchayat should draw up a list of members of such committees and take into consideration suggestions which the Gram Sabha may have to make on them. Each of these functional committees should be entrusted with the management of one or other of the developmental subjects of the village and should review their progress. There may, thus, be a committee each for the village school, the pasture ground and the village forest. The functions of these committees should be mainly advisory, their suggestions and advice, being forwarded by the Panchayat for necessary action and for being discussed in the Gram Sabha as well.

Question Hour for Gram Sabha

3.8. A major item of work of each meeting of Gram Sabha should, therefore, concern raising of questions and it is the opinion of the Team that in every meeting of Gram Sabha, there should be a question hour, when any member of the Sabha will be free to raise any query, to be answered by the Sarpanches/Panches or officers present. The Gram Sabha will, thus, develop as a problem solving organisation and if it could, in turn, through this question hour solve some of the basic problems of the individual villagers by soliciting replies and follow up action of the officers, it would have served its purpose.

Other Functions of Gram Sabha

Gram Sabha and the Village Production Plans

3.9. We had occasion to examine the village production plans in many villages in the different States of India. Our general observation was that while a village production plan exists and was produced for all the villages that we visited, very few villagers had taken any interest in its preparation and it had very little relation to the production realities in the village. In no sense was it a complete production plan for the village and in most cases, its columns were filled by the VLW, perhaps in consultation with the Sarpanch and a few leading people of the village. When we brought these facts to the notice of the villagers, they in turn brought to our notice various difficulties in the preparation of such a plan. Firstly, it was explained to us that the break up of assistance for food production schemes received from the Centre or the State Governments was available at the Block level, but this figure could not always be broken up for the villages in the Block. It was not, therefore, possible to know in advance what share of such aid would be available for the village and, hence, in some States the village production plan was based entirely on local resources. Secondly, the utilisation of village labour by way of shramdan for food production schemes was found to be difficult in view of the special advantage it conferred on the land-owning classes, without any recompense to the community. Thirdly, doubts were expressed if the substantial percentage of the labouring class, which had no interest in land, would feel interested in a village production plan which primarily benefited only the cultivators. Our experience also has been that the village production plan is still to become more effective

and to be looked upon as an obligation which has to be discharged by the villagers except may be in case of items like supply of credit, seeds and fertilisers.

3.10. So far as the village production plan is concerned, the Gram Sabha would be mainly interested in :

(*i*) those schemes which provide scope for the utilisation of the surplus labour power of the village, whether by way of shramdan or otherwise; and

(*ii*) seeing that cultivators get their supplies of credit, seed, manures, etc., in time and equal to their requirements.

Some other areas in which the Gram Sabha may also be interested are the following :

(1) Discussion leading to programme planning in respect of all such matters which provide attention to the neglected aspects of the village, such as maintenance of existing irrigational facilities, reclamation of uncultivated and waste land, soil conservation, lay out, levelling and bunding, drainage, fencing, consolidation of holdings.

(2) Improvement in the productivity of soil, *e.g.*, use of compost, green manuring, application of oil cakes, decomposition of roots, leaves and remnants of crops and proper rotation of crops.

(3) Application of improved methods and scientific techniques for production of crops, *e.g.*, use of improved seeds, application of chemical fertilizers, water conservation, improved agricultural practices and timely agricultural operations, etc.

(4) Increase in power for increased agricultural production, *e.g.*, manpower, bullock power, electrical power, mechanical power, and improved implements.

(5) Determining the cropping pattern and potentials of the village plans for plantation of trees and plants. The Panchayats should be allotted some land, on experimental basis for development of seed nursery and practising improved methods, so that the results of such improved practices could be clearly brought home to the farmers. It is suggested that in the event of such nursery being developed in each Panchayat Area, the V.L.W. may be given charge of them.

(6) Increase in efficiency of organisation for farming, *e.g.*, co-operative farming, co-operative credit, supplies of requisites for agricultural production, improvement in the agricultural skills of the cultivators and determination of the cultivators to increase production and improve their standard of living.

3.11. In our view unless the labour utilisation programme of the village is so oriented as to ensure that it confers uniform benefits to all sections of the community, shramdan cannot have an ideological attraction. Hence it should be utilised for developing community assets. Where they are utilised for developing assets which benefit only a section of the community, however large, it seems to us, that the community should be made to pay for them and the money should be credited to the village labour bank. Our specific suggestion here is that the Panchayat should levy a betterment tax for the

additional benefits which arise as a result of the effort of the community. Since the value of the work would be paid by private beneficiaries, it would also introduce reality in shramdan work. Such an approach to shramdan would improve the agricultural assets of the village as well as develop the assets of the village labour bank. Our limited experience of the examination of the porgramme of utilisation of the voluntary shramdan offered by the members of the village volunteer force has been that the Panchayat has not always been able to locate suitable projects for the utilisation of the contributions offered. There is considerable scope for the development of minor irrigation work in some of the States of India. There is also enough surplus labour power awaiting proper utilisation in these areas. But the main reason why the two cannot be matched, is that uptil now attempts were made to develop these minor irrigation works through shramdan. This sometimes not only encourages the reporting of inflated figures regarding items of work performed, but also leads to the raising of objections to the utilisation of shramdan on such works, since they lead to conferment of benefits on only a small section of the community. If, however, the beneficiaries are made to pay for the value of the work, as recommended, agricultural development could be secured, as well as the development of the assets through the village labour bank would be ensured. We recommend the utilisation of this method for the development of minor irrigation works.

3.12. Doubts have been expressed to us whether the Gram Sabha can really take interest in developing agricultural production of the village, while agriculture continues to be a private enterprise. All the villagers should be interested in finding a proper outlet for the surplus labour power of the village and we have already recommended that this should be utilised by way of shramdan to the extent it is available for development of minor irrigation and soil conservation in the village. The general body will also be interested in seeing that all those who need supplies of credit, seed, and manures, get them in sufficient quantities, and at the proper time. The village agricultural production plan should contain the total requirements of these, required by all the cultivators. But beyond this, the village production plan today contains tables of a host of agricultural practices, which merely fill in the numerous columns of the plan, but do not in any way materially help in their adoption. The adoption of these improved cultivation practices is not in any way likely to be accelerated or retarded by their entry or deletion in the village production plan. That really depends on success of our extension methods. It is, therefore, suggested that any current directions to the effect that the village production plan should contain a record of these, should be discontinued. This would relieve the V.L.W. of a large amount of paper work and spare his time for real extension work.

3.13. The problem of improving the quality of our extension work is outside our terms of reference, but we feel that if a few (not exceeding 10) good cultivators, who perform essential labour personally on their holdings, are selected by the V.L.W. and their production plans are vigorously and conscientiously supervised by him, and they are induced to follow all the cultural practices which are today inserted in the village production plan, this would go a long way in securing their adoption by the rest of the cultivators.

Village Volunteer Force

3.14. The Village Volunteer Force's potentialities in the context of our present emergency, as a source of recruitment of military personnel for our

defence, as well as, as a spearhead for utilising the surplus manpower in the villages, are immense. The Team feels that even without the emergency such an organisation will instil a sense of discipline and love of physical exercise in the rural youth and provide them with a base for undertaking nation-building activities on a voluntary basis. We consider that such an organisation will be ideal for providing guidance and direction to our rural youth and could form a permanent feature of our rural development activities. The main problems connected with the organisation of such a force on a permanent basis would be :

(*a*) creation of a sustained interest in these activities, particularly in the context of our experience that interest gradually wanes after the initial stage;

(*b*) securing its freedom from party politics and group factions in the village; and

(*c*) providing for harmonious relations between the V.V.F. and police.

3.15. The above objectives have to be secured at minimum cost. Loss of interest in an organisation is bound to arise if it has no regular duties to perform and if there is also no attractive programme of work. We feel that suitable items from the training provided for the scouting organisation should be selected and a special training course incorporating these items should be prescribed for the members of the Village Volunteer Force. There may be gradations in the Force with suitable designations so that members could be promoted to different levels in the Force according to their interests and capacities.

3.16. This Force could be utilised for :

(*a*) maintenance of law and order in the Panchayat area;

(*b*) checking spread of rumours;

(*c*) fighting fire and epidemic, offering first-aid and removal of casualties to hospitals;

(*d*) discharging of other civil responsibilities, namely, management of fairs;

(*e*) night patrolling; and

(*f*) protection of life and property in the Panchayat area.

3.17. We have separately indicated how rural manpower could be organised for production programme. The force could play a very important role in this. The force as constituted should consist of persons between the age of 18 and 45 (Ministry has recommended that it should consist of all able-bodied adults in the village who might volunteer to join it). While the latter is important in the context of organising shramdan, we consider that as a 'force' efforts should be made to recruit young people who can convert the organisation in a well disciplined body with regular membership.

3.18. The plan for working of the Village Volunteer Force of the area, which would include watch and ward services on the basis of voluntary work offered by the members of the village community, and lay down which member of the community would volunteer to watch on which days of the week and at which place along with other details of the working plan, may be placed before the Gram Sabha for its consideration.

3.19. With a view to secure better coordination between the Panchayat and the Village Volunteer Force, the Dalpati of the Village Volunteer Force should be nominated by the Sarpanch, and should be coopted on the Panchayat, as a non-voting member. He could do the main bulk of planning and preparatory work sitting with the Gram Sabha as well. The organisation of V.V.F. at the village level, will have, ultimately to be integrated with higher levels with suitable organisations at Block, District, Divisional and State levels.

Cooperatives : Panchayat and Gram Sabha

3.20. It has been laid down by the Ministry of Community Development and Cooperation that every village should have, in addition to the Panchayat, a cooperative society as well. Whereas the need for a well-meaning cooperative movement, with a cooperative society established in each village is well recognised, our purpose here is to determine the role of the Panchayat and the Gram Sabha *vis-a-vis* the cooperative.

3.21. The Team found, in course of its tours to different States and from the evidence collected by it, that the two village institutions, that is, the Panchayat and the Cooperative, do not always play a coordinated role. If the Panchayats are the local-government at the village level, the cooperatives provide effective means for stepping up the pace of economic development of each village. The main problem, therefore, in securing coordinated development of the village as a whole, and that of the Panchayat and the Cooperative, lies in securing effective coordination between the two institutions.

3.22. Apart from the promotional role that the Panchayat and its Gram Sabha can play in the field of cooperation, the relationship between the village Panchayat and the village cooperative society assumes considerable significance in the context of the village production plans to which we have already referred. The two village institutions are supposed to be complementary to each other and to work in close cooperation to secure execution of village production plans. The Village Panchayat prepares the agricultural plan, may be with the help of the extension agency, and the cooperative society ensures that the credits and supplies required for the plan are actually made available. During our visits to different areas, we tried to ascertain the relationship subsisting between these two institutions and in quite a few cases, the Team found that such coordination between the two, which would have ensured that the requirements of the agricultural plan were duly covered by the borrowing programme of the cooperative society, was wanting. It is necessary, therefore, to devise a suitable mechanism to secure coordination between the two institutions. It is, therefore, recommended that the Sarpanch of the Panchayat should be a member of the managing committee of the local cooperative without right to vote.

3.23. The question of securing economic development of the village is, however, not only confined to the question of securing efficient production plans for the land-owning farmers. The un- and under-employed population of the village will have to be provided with adequate means of livelihood and employment. The question of offering adequate facilities for employment to these people and specially to the artisans, had thus engaged the special attention of the Team. The Team felt that organisation of effective plans for setting up village enterprises and industries for offering fuller employment to village people was an urgent need. For this purpose, cooperative

societies catering to the needs of special sections of rural population should be set up so that they could offer adequate financial and technical resources to such projects. The idea of having only one cooperative for each village is not tenable in view of the fact that different occupational groups of the village and different sections of its population have divergent needs. It may not always be necessary that each village should necessarily have a number of cooperative societies. The Panchayat Samiti and the Zila Parishad may, however, draw up plans for organising a number of cooperative which may offer economic opportunities to the people of a number of villages. Such cooperatives would be cutting through the inter-village structure in a vertical dimension, though the service cooperatives, one for each village, may continue to develop on the existing pattern. One of the ways in which the Panchayat could assist the development of such cooperatives will be by subscribing to the share capital of the cooperatives from its own funds. The State assistance, other than loans, and other help to all the cooperatives of the area should be routed through the Panchayati Raj institutions. It should give special attention to ensure that larger cooperatives sponsored by the Panchayat Samiti serve the needs of the weaker sections. The larger cooperatives covering a number of villages will be mostly in the nature of industrial projects which will offer help to the un- and under-employed population of the area and enable the community to take a step forward in the direction of fuller employment.

3.24. The Sarpanch of the Panchayat as mentioned earlier should be a member of the managing committee of the local cooperative society without right to vote to help develop both promotional as well as coordinational work between the two. Since village production plans would be prepared in Gram Sabha meetings, the Gram Sabha meetings could also discuss the working of cooperatives, and suggest programmes and policies for economic development. This would mean that while the Panchayat and the Panchayat Samiti take initiative to form cooperatives to meet the 'felt' and emerging economic needs of the village, the Gram Sabha would outline the needs of the community and may indicate the types of programmes required to meet these needs.

Welfare of Women and Weaker Sections

3.25. It was pointed out that the Gram Sabha will not become an effective agency for decision-making, unless the women members, who represent about 50 per cent of the total population were effective. During its visits to different States the Team observed and noted with concern that women members of Gram Sabha do not take any interest in its meetings. The following suggestions were made to combat the situation : (*a*) two women members would be coopted in the village panchayat (in case no women members were duly elected), (*b*) a meeting of the local Mahila Mandal should be held before each meeting of Gram Sabha to consider the issues which mostly concern the former, and were likely to come up for discussion in the Gram Sabha meeting, so that in this meeting the women representatives could put forward their views in a more effective manner. It would be a process of time, the Team feels, before the women members of the Gram Sabha could take effective interest in its work.

It was suggested that the funds allotted for the welfare of the scheduled castes/tribes should be properly utilised for their benefit. While drawing up the budget of the Panchayat, Gram Sabha should give special attention to the

needs of scheduled castes and scheduled tribes and the Zila Parishad should call for an annual report from the Pradhans of the area in order to ascertain whether the problems of weaker sections have, in their respective areas, been effectively dealt with. It would be desirable to have a sub-committee of the Panchayat to look after the welfare of the scheduled castes/tribes of the village community and that this committee may help the Panchayat to plan its work relating to their welfare effectively.

3.26. The Team further recommends that at least a member of the scheduled caste/tribe may be coopted to the Panchayat/Panchayat Samiti unless a representative of this group has been elected on these bodies through the normal process of election and provided that the scheduled castes and tribes form 10 per cent of the total population of the area. A member of the scheduled caste/tribe will have to be coopted on the organisation even if a M.P./M.L.A. who is a member of the scheduled caste and tribe is already an *ex-officio* member of the Panchayat Samiti. Similarly, from amongst the Pradhan/Up-Pradhans of the Panchayat/Panchayat Samiti and the Zila Parishad, one should be, from among the scheduled castes/tribes provided that the latter form 10 per cent of the total population of the area, and unless the representatives of the scheduled castes/tribes of the locality have been duly elected to one of the posts of these organisations through the normal process.

Executive Assistance for the Gram Sabha

3.27. In order to effectively discharge the functions of the Gram Sabha and the Panchayat, which in the revised set-up and as recommended by the Team, will have many functions to discharge, *e.g.,* maintenance of village records as well as initiation of steps recommended for activisation of the Gram Sabha, the Team recommends that the extension services offered by the V.L.W.s as well as the secretarial assistance of the Panchayat Secretary should be geared for this purpose.

3.28. The V.L.W. today attends to too big an area and has much to do; his extension duties and role suffer specially for this purpose. The Team, therefore, felt that the area of the V.L.W. should be limited to the area of a Panchayat, so that he can offer undivided attention to and serve the people's institutions at the village level with adequate attention and knowledge. The Team also considered the argument that it would be undesirable to have too many functionaries for the too small an area of a Panchayat and felt that keeping the considerations of economy in view, it would be necessary to combine at the Panchayat level, the jobs of more than one functionaries in one body. One of the suggestions in this regard was to combine the functions of the V.L.W. and the Panchayat Secretary, but the Team was of the opinion that the whole question of having a well-trained and effective functionary trained in extension and secretarial work for each Panchayat area should be gone into and examined in detail. We are, however, of the opinion that Gram Panchayat and Gram Sabha should have the services of a full-time trained functionary who may possess sufficient knowledge of agriculture, animal husbandry, health and sanitation groups of subjects, but his main job should be that of an extension agent responsible for strengthening the democratic functioning of the Gram Sabha and of the Panchayat. His duties should not, therefore, be confined, according to us, merely to stepping up of agricultural production.

CHAPTER IV

GRAM SABHA, PANCHAYAT, PANCHAYAT SAMITI AND ZILA PARISHAD

As a revitalised Gram Sabha would surely strengthen village democracy, the higher tiers of Panchayati Raj institutions, in turn, will have therefore to lend proper support and strength to Gram Sabha. It is true, in other words, that not only a healthy and strong Gram Sabha would be of value to the higher tiers, but establishment of a proper and well-defined relationship between the various tiers, that is, the Gram Sabha, Panchayat, Panchayat Samiti and Zila Parishad would similarly go a long way in reinforcing the working of all the three and make both the Panchayat and the Panchayat Samiti, Gram Sabha minded. It is necessary, therefore, to define this relationship and the Team spent a good deal of time in exploring what could possibly constitute a proper relationship between the three.

Elections

4.2. The suggestion of the Team on the matter of tenure of the Panchayat is that the Panchayat should be a self-continuing body. Every member of the Panchayat elected by the adult voters should hold office for a period not exceeding three years and that the Panches should retire in rotation after their term is over. They may, however, be eligible for re-election, although no Panch would be a member of the Panchayat for more than two consecutive terms. This means that Panch should hold office at one stretch for a period of six years at a maximum. According to this, the elections to Panchayats will be conducted on the basis of periodic rotation, so that the Panchayat could be, as the Gram Sabha is, a self-perpetuating body. Our idea in placing this suggestion for consideration is to help create a climate in which every body could feel that Panchayat is more a social institution than a political organisation. The term of the Sarpanch should be three years, he being eligible for re-election for two consecutive terms as any other member of the Panchayat. One-third of the Panches or a sizeable number, depending on the total size of the Panchayat, will retire each year. The Sarpanch in the revised set up will, therefore, have to carry the majority with him and his position will have to be reviewed afresh every year. To maintain his position the Sarpanch will, however, have to, there are some who feel, take greater interest in the working of the Panchayat and discharge his duties more seriously than he would have done in ordinary circumstances. There are others who feel that the system would in fact weaken the office of the Sarpanch for if the incumbent is unable to secure majority after each rotation, he may not be able to survive. The Sarpanch, it is however, evident will have to be under the system, very vigilant and live under constant fear of losing his majority. The latter will serve as an indirect stimulus, which will prompt the Sarpanch to make himself as less controversial as possible so that he could rise above group interests and be generally acceptable to all. Periodical elections would introduce fresh blood and render holding of general elections in the State for all the Panchayats at a time unnecessary. This would lead, in turn,

to considerable slackening in the political atmosphere and consequently relieve the tensions which are generally associated with our experience of elections. The idea in this regard is to ensure that the Panchayat acts as a social institution and its elections do not create enough political fervour which adversely affects its social character. This would, however, involve, as we have already stated, the decentralisation of election administration. The system if introduced will produce a number of results such as that the work-load of officers who will have to conduct elections will increase, and a change will be brought about in people's attitude towards elections. The villagers may then learn to consider elections more as a social responsibility then as a political game. The Panchayat Extension Officer today in most of the States is burdened with the responsibility of carrying out accounts and audit work of various Panchayats and he has, in fact, very little time left at his disposal to act as an "Extension Officer". The Team has elsewhere recommended that a separate functionary at the village level will have to be appointed to look after the work of the Panchayats. If the Panchayat Extension Officer is, however, to play the role of an "Extension Officer" through the functionary to be appointed at village level, provision will have to be made as it exists in some of the States notably in U.P., and Assam for appointing an additional agency to look after the work of the audit and a Panchayat Inspector may well be appointed in each block in addition to the Extension Officer. The Inspector of Panchayats, in case he is a separate functionary, could look after the elections as well. It seems, in any case inevitable, that the task of Panchayat Extension Officer-*cum*-Election-*cum*-Audit Officer could not be combined into one and provision for a separate functionary to look after extension work becomes incumbent. This would, therefore, necessitate appointment of a new Panchayat Extension Officer as an additional functionary who is not saddled with election and audit work but is trained in extension and educational methods to help growth of Panchayat and Gram Sabha in the area.

Election on the basis of wards

4.3. The Gram Sabha will be constituted of all the adult voters of a Panchayat area and the latter will elect the Panchayat. The Sarpanch, as is the general practice, should be elected directly by the adult voters of the area.

The members of the Panchayat need be elected as in the general practice more or less from well-recognised wards, formed on the basis of contiguity and compactness of the area. The area of the ward, in other words, should not be too big to prevent growth of face to face relations and development of intimate association amongst its members.

Constitution of the Panchayat Samiti

4.4. The Sarpanch should be, as the practice generally is an *ex-officio* member of the Block Panchayat Samiti. The other methods followed in some States which does not find favour with the Team is that the Gram Sabha elects another representative (other than the Sarpanch) for the Panchayat Samiti. This, in the opinion of the Team, would create complications and prevent integrated functioning of the two institutions, the Panchayat and the Samiti. In case, however, it is considered essential that a different person, other than the Sarpanch, should be chosen to represent the

Panchayat on the Panchayat Samiti, it would be necessary to coopt this member on the local Panchayat in order to maintain continuity of thinking among the various tiers of Panchayat Raj administration.

The other suggestions placed before the Team, regarding the constitution of the Panchayat Samiti, was that all the members of the Panchayat Samiti should be directly elected by the Gram Sabha. This would be taken care of, the Team feels, if the Sarpanch is directly elected by all adult voters and become an *ex-officio* member of the Panchayat Samiti. If another member, either of the Panchayat or of the Gram Sabha (other than the Sarpanch), is to be elected to represent the area in the Samiti, this would lead to a number of complications and mean election of two representatives by the Gram Sabha, rather than of one. The Panchayat Samiti should thus include, not only all the elected Sarpanches of the area, but also provide the inclusion of a few others not less than 10 per cent of total membership of all the Panches of the area.

Election of the Chairman of the Samiti

4.5. The Team was next seized with the question of devising a *modus operandi* for election of Chairman of the Panchayat Samiti, who is today in most of the States elected by the members of the Samiti. A suggestion made in this regard envisaged constitution of an electoral college composed of all Panchayat members of the area for election of the Chairman of the Samiti. Quite a few people have also expressed their apprehensions regarding frequent use of undemocratic practices regarding filling up of this important office. It was thus brought to the notice of the Team during its tour in one of the States that a sizeable percentage of chairman of Panchayat Samitis was of those who had contested elections for Panchayats, but were defeated. They later found way in the Panchayat Samiti through cooption and ultimately got elected as chairman. The Team considers such practices as undemocratic and recommends that the Samiti should not coopt to itself any of such members who have lost any primary election. This would, however, not apply to scheduled castes and tribes. The other suggestion placed before the Team is that after due safeguards have been taken, *i.e.* it has been ensured that a defeated candidate does not find his way in the Panchayat Samiti, it should be left to the Samiti to elect the Chairman. The advocates of this school hold that in the event of the Chairman being elected mainly by the electoral college of the Panches of the area, he may not be in a position to command and maintain majority in the Panchayat Samiti. The Team considered both the points of view and recommends that either of the suggestions may be adopted by the State Governments depending upon the local conditions prevailing in the State concerned.

Other Suggestions

4.6. A few other suggestions, placed for the consideration of the Team in order to ensure that the Panches and Sarpanches functioned institutionally and took into confidence their electors, sought to provide for system of "recall" and "no confidence". The Team, having considered that both the provisions not entirely without their demerits, feels that if the system of rotational elections recommended by the Team, is accepted, these provisions will be unnecessary since a large majority of the members will be in office for a short time. In order to lend stability to the office of the chairman

of the Panchayat Samiti/Panchayat, the incumbent should not be removed, as is the practice today in some of the States, by a simple majority of votes against him. Such removals, in the opinion of the Team, should be by two-third majority.

Institution of Panchayati Raj Courts

4.7. There are instances, it was brought to the notice of the Team, that several cases of conflict regarding encroachment of public property and other similar matters arising between the individual villagers and the village panchayat, often go unattended to, in view of the fact that the existing judicial administration has to deal with too many cases at the same time. This leads to delay in administration of justice, and since villagers have to travel to the district headquarters or to the sub-division to meet the court, they find great difficulty in representing their cases even when the appropriate court is prepared to listen to them. The Team, therefore, recommends that the Government may explore the possibility of authorising a special sub-divisional officer to form a Panchayat Raj Court, one for each district, to attend to such disputes only. The court should consist of such persons who have adequate knowledge of and are sympathetic towards village problems. This court would move from place to place to administer justice, so that it could be easily accessible to the people of the interior areas. It is also suggested that disposal of election petitions arising out of Panchayat Raj elections should be entrusted to such courts.

Panchayat and the Samiti

4.8. The functions and powers of the Panchayat and Panchayat Samiti are laid down by the respective acts constituting these bodies. These acts will also lay down the resources, which these bodies could raise by taxation and otherwise. The Panchayat will be free to organise such activities as are within its competence, that is, within its own resources, and for the purpose any grants that it receives from the Panchayat Samiti, which are not earmarked for a specific purpose, could be treated as its own resources. In respect of money received by the Panchayat Samiti to which particular conditions are attached, the Panchayat will be required to satisfy those conditions before the funds could be utilised. In order to provide incentives to the Panchayat and Panchayat Samiti, it would be a welcome idea, if the State Governments could offer additional financial resources as united funds to such Panchayats, in order to strengthen their working in terms of developing the operational background of the institution as well as for providing stimulus to the comparatively backward Panchayats. The State Governments, in case this suggestion is accepted, will have to evaluate the working of the Panchayat, as well as of the Gram Sabhas, very frequently, on the basis of well-drawn up criteria. The Team, therefore, recommends that an independent evaluation organisation functioning under a non-official advisory committee should be appointed in each State which would function outside the office of the Development Commissioner and/or Director (Panchayat), for carrying on the work of evaluation in the State. The task before the organisation would be to evaluate the work of Gram Sabha, Panchayat, Panchayat Samiti and Zila Parishads in the area. The Central Government evaluation organisation should coordinate the work of State evaluation organisations. The evaluation standard or the yardsticks to be

applied for adjudging the position of the Panchayat need not only take into consideration physical accomplishment of a particular Panchayat but it also must provide for measurement of the pace of social development of the institution. A useful criteria of evaluation which the State and Central Governments could, however, apply for evaluating the work of Zila Parishads, Panchayat Samitis, and Panchayats, is to assess the value of efforts which have been put in and the methods employed by each of the above institutions for the development of the Gram Sabha and the Panchayat as compared to mere assessment of the results achieved in various spheres. The exact criteria for such evaluation and indices for measurement of progress should be drawn up by a panel of experts specially constituted for the purpose. In evaluating the work of the Panchayats, the contribution made by the Gram Sabha to their efficient working has to be considered as a special factor. The items for this evaluation would be frequency of Gram Sabha meetings, the nature of participation of the members in it, the degree of influence exercised by the Gram Sabha in the decisions of the Panchayat, the extent of voluntary work organised in the village, the working of the village production plans and village volunteer force. It is, however, necessary to emphasise that the purpose of such evaluation should not be to merely assess physical targets of achievements, in terms of increase in agricultural production secured as compared to other areas, but should take cognisance, in addition to the efforts put in and methods employed of the attention that is being given by the Panchayat and other organisation to the scheduled castes and scheduled tribes. It should also assess whether the money required to be spent for the welfare of scheduled castes and tribes has been utilised for that purpose keeping in view that a good portion of the allotment should also be spent on comparatively backward and numerically weaker sections of people from among the scheduled castes and scheduled tribes as well. The process of functioning of each Gram Sabha meeting, a close study of the internal process of democratic functioning, the relationship between the types of agenda items and the interest of the people, growth and change in the pattern and texture of leadership taking place from time to time, the contribution and role of the leaders and groups and their processes of interaction should form the main part of the evaluation objective. The role that Gram Sabha and the adult population of the village is, therefore, called upon to play does not relate only to economic development but also to its efforts for securing social cohesion and integration of various constituent groups of the community as well as for determining the direction and pattern of change, which it seeks to introduce in years to come. The evaluation indices should take into consideration all these various objectives of Panchayati Raj administration, and the support which the Gram Sabha and the Panchayat are supposed to provide for their fulfilment.

Educational qualifications—Education and Training of members

4.9. It has been represented to the Team, at various places, that the work of the Panchayat generally suffers owing to the fact that its members are often uneducated and that it is desirable that the members of the Panchayat or at least the Sarpanch should be educated enough and must have read up to the Seventh Class. The Team has carefully analysed these views and does not feel that it will be fair enough to insist on any educational qualification as condition precedent for elections in case of the Panches and Sarpanch. Although a Sarpanch has to discharge certain administrative and financial functions, it was not the experience of the Team that educated

Sarpanches have, on the whole, been more efficient that those who were not even literate or school-bred. The Team, therefore, opines that although it would definitely prefer that every Panch and Sarpanch who are elected by the adult voters should be literate and indeed persons of higher educational qualifications, it does not consider it necessary to lay down at this stage any educational qualifications for any of these posts. The Team, however, recommends that the State/Zila/Block authorities should arrange for (1) training for the elected members of the Panchayat as well as, (2) for all adult voters of the community in aims and objectives of Panchayati Raj and also in such subjects as will open up opportunities for adult education. This should include not only three R's but also such other basic requirements which may be needed for efficient discharge of functions by the members of the Panchayat. The Team is of the opinion that a short orientation course of training may be organised for all Sarpanches and Panches of the area and once a person is elected to the Panchayat or a higher tier, it should be necessary for him to undergo such training. Wherever the Team had gone to collect evidence it was pointed out almost by all that the main malady of the Panchayati Raj administration lay in the inability of the members to elect a right man to a right position. It is, therefore, necessary that the persons elected should be properly equipped to discharge their duties. The Team, therefore, recommends, in this matter, that the State Government should make provision for training of all adult members of the community in a generic manner, but specific steps should be taken in particular to ensure that all the elected members of the Panchayats are effectively trained and prepared to perform their role. Such programmes of training both for adult members as well as elected members could be entrusted to non-official organisations such as, Sarva Seva Sangh, Gandhi Smarak Nidhi, All India Panchayati Raj Parishad, Bharat Sevak Samaj etc.

Tiers and Officials

4.10. In the Panchayati Raj administration we have the following three tiers :

(1) The Village Panchayat.

(2) The Panchayat Samiti.

(3) The Zila Parishad.

and a hierachy of officials of different departments function in various capacities in them. The questions for consideration before the Team in this regard were :

(*a*) the relationship between the people's representatives and the officials working at each tier;

(*b*) the relationship between the officials of the same department working in the different tiers; and

(*c*) the relationship between the people's representatives in the different tiers.

The Team examined these questions in the context of making the Gram Sabha the base of Panchayati Raj so that the members of the Gram Sabha will have a chance of raising, in the Gram Sabha meetings, matters related to the execution of their duties by the officials of the different departments.

We have already indicated that it is necessary to enlarge the functions of Village Panchayats so that they can deal with questions affecting their daily lives in the village, raised in the Gram Sabha by its members. In order to enable the Panchayat to redress more effectively popular grievances, we suggest that a revenue officer located at the Block headquarters should be associated with the Block staff for effective cooperation, so that prompt action can be taken regarding such matters as allotment of land, removal of encroachments, making correct entries in respect of mutations, etc. In such cases, the Panchayat can effectively render relief through the Revenue Officer of the Block. There will, however, remain a type of complaints wherein the Panchayat can only report the matter to the concerned authorities and request them to render necessary relief. Misbehaviour by police constables, or harassment by the forest staff, would cover such examples. In such cases, the Panchayat should forward the complaints to the District head of the department and request him to inform them of the action taken.

Efficiency of administration in any organisation is maintained primarily on the following considerations :

(*a*) prospects of promotion for good work;

(*b*) possibilities of punishment for bad work; and

(*c*) an impartial assessment of work, good or bad.

In a democracy, this assessment has to be made by the people's representatives at the level of the official's work. An administrative set-up should be secured for the Panchayati Raj administration wherein these principles would be able to operate.

Panchayati Raj Services

4.11. In our country, we recommend, as is the pattern in some States, that services could be divided into All India, Central, State and Panchayati Raj services. This division proceeds from various considerations, but it is important to secure that a certain proportion of services in a higher cadre is reserved for promotion from a lower cadre to secure sufficient prospects for entrants to the lower cadre. In this manner, alone, can incentives be provided for good work. In the organisation of the services in the various classes, we presume that this aspect will have received sufficient consideration and possibilities of promotion from Panchayati Raj services to the State services would remain a sufficiently common feature as a reward for industry and good work.

In considering the relationship between the village Panchayat and officials working at the village level, we have to consider the following three types of official personnel : (*a*) those appointed, and liable to dismissal, by the Panchayat, (*b*) those whose services are transferred to the Panchayat, and (*c*) those whose services are not so transferred.

The first will consist of such officials like clerks, peons, etc. whom the village Panchayats employ for their work. Their jurisdiction will cover whole or part of a Panchayat area. Their number cannot be large, as considerations of attracting qualified personnel and providing suitable incentives for promotion for good work would come in the way of laying down that

such persons should be exclusively the servants of the Panchayat. In most cases the 'hire and fire' principle will apply and this class of officials will be fully under the control and authority of Village Panchayats.

The second category will consist of all personnel of development departments operating at the village level, including those who have more than one Panchayat areas in their charge. In this class we would also include the Patwari, about which official special reference was made to us in our tours. In addition to him, this category will include the irrigation patrol, tube-well operator and officials of the public health department, education and other departments. The confidential reports of all these officials should be recorded in the first instance by the Sarpanches of the Panchayat areas in which they operate. In cases of complaints about their work, a convention should be established that complaints from the Sarpanch should be promptly and carefully considered. These complaints would be made to the Panchayat Samiti and their immediate superior officers attached to it. The existence of this convention should be made clear to the officials and its observance, in the few cases that will come up in that event, could be all that is required to secure the necessary responsibility of this class to the Village Panchayat.

The third category would consist of police constables, forest guards and other officials of the non-development departments. In their case, the procedure of making complaints to their superior officers and securing replies to them in the meeting of Panchayat Samiti should be followed.

At the level of the Panchayat Samiti, the B.D.O. should be responsible to the Pradhan and the latter's supervision over the Samiti staff be exercised through the B.D.O. The Pradhan should also write the C.R.s of all the Extension Officers including the revenue officer posted at headquarter. In so far as the B.D.O. is responsible for coordination, the Pradhan should be able to avoid direct dealings with the extension staff. This is a matter for proper orientation and should be dealt with by the training programme provided for Pradhans and similar classes of non-officials. We do not consider that beyond this it is necessary to lay down any specific rules to guide this relationship. We presume that whenever the B.D.O. feels that any particular decision of the Samiti is such for which he cannot accept responsibility, he will be able to indicate, by the official records, this position. Indeed this is an essential condition of the efficient working of all democratic institutions.

The Block Development Officer should have the status of a Provincial Civil Service Officer so that he could command confidence and ensure smooth functioning of the administration of the Panchayat Samiti. This would help him to work out a proper relationship with the non-official members.

We now proceed to examine the relationship between the various officials working in the same department in the various tiers. We consider that the administrative and technical responsibility of the departments should remain undisturbed. Thus, the grant of leave, provision of substitutes, etc. should be a departmental responsibility as well as the offering of technical advice and directive. This need not come in the way of drawing up programmes of work at the village level; any discrepancy between the requirements of

the national plan and deviations from it at the local level, which might arise, have in any case to be resolved at the appropriate higher level.

The last question for consideration is the relationship between the people's representatives in the different tiers. The degree of supervision and control which is exercised by the Zila Parishad over the Panchayat Samiti and by the latter over the Village Panchayat has been laid down by the various Acts in the States. Their general import is to secure coordination between the work of the various bodies within the jurisdiction of the higher tier, while leaving them sufficient freedom to plan development programmes suitable to their local conditions. We have already indicated that village Sarpanch should be unfettered in selecting programmes of work which they have to finance exclusively from their own resources. In addition to this general supervision and direction laid down in the Acts, there would be at the higher level officials whose duty it would be to inspect and guide the working of these institutions, so that the duties laid down in the Act could be adequately discharged by the body concerned. The only important point to ensure here is that responsibility for any decisions on such reports should be taken by the appropriate representatives of the people and not left to the reporting officer. In all such cases the responsibility should be taken either by the Panchayat Samiti or the Zila Parishad or the State Government as the case may be.

As a result of the above recommendations, the pool of technical officers at the district level would advise the Zila Parishad about the working of its schemes at the village and Panchayat Samiti level. The technical staff of the district level as well as of the Samiti would be at liberty, to examine the working of the schemes, of course within the knowledge of the elected Heads of the various tiers and their reports, submitted to the Parishad, should be forwarded to the Samiti and the Panchayat for appropriate action. The officials working in the set-up of Panchayati Raj will, however, in the new set-up have to learn to advise, guide and act, by taking the non-officials members of the various tiers into confidence and the value of their supervisory role will be established on the weight of its merit. The tools of supervision, which the officers will have to thus use, and which in any case have to be used in a modern State, pledged to democracy and welfare, are persuasion, guidance, counselling and consultation. Bureaucratic norms must in other words, give way to principles of welfare administration. The success of Panchayati Raj Administration depends, the Team feels, not so much however, on the rules and regulations which will have to be evolved for defining relationship between the various component elements of the system such as the tiers, its members, elected Heads, officials, etc., but on the healthy traditions that the system can grow in the shortest possible time. It is, thus, necessary to gradually develop an effective tradition that the officials and non-officials of the various tiers would learn to recognise the areas of each other's responsibilities and to function in a manner that each allows the other freedom of operation in his own areas.

Mentioned above are some of the measures which define the scope of functioning of the Panchayat and the Samiti and determine, to a great extent, their mutual relationship. The line of communication between the Panchayat and the Gram Sabha has also been described. Since this link would also hold the Panchayat and the Samiti together, the total effect of their working relationship will, in turn, substantially influence the character and the position of the Gram Sabha as well.

Institutional functioning

4.12. We have been asked to suggest measures necessary to ensure Sarpanches (Presidents of Panchayats) and Pradhans (Presidents of the Panchayat Samiti) function institutionally. Under the rules framed under Panchayat Samiti and Zila Parishad Acts, which introduced the scheme of democratic decentralisation in all the States, the powers of Sarpanches and Pradhans are divided into two categories; the first are those which these office-bearers can exercise at their own discretion and the second consist of those which they have to exercise institutionally, that is, under the authority of a resolution passed by the Panchayat or Panchayat Samiti or one of its functional sub-committees, as the case may be. We consider that the existing powers and functions of the Sarpanches of Panchayats and Pradhans of Panchayat Samitis, as laid down in the Acts of different States and rules thereunder, are fully consistent with the institutional functioning of Panchayats and Panchayat Samitis and do not need any change. During their tour, the Team did not come across many instances, or hear too many general complaints about non-institutional functioning of the Sarpanches or the Pradhans. Where such cases occur, they can only be corrected by supervisory officers pointing out such cases and audit raising objections to expenditure for which institutional sanction is not forthcoming.

One of the ways of securing that these office-bearers act institutionally is, therefore, to ensure that their work is regularly supervised. In Panchayati Raj, administrative powers of such supervision are usually vested in the next higher tier. The Zila Parishad and Panchayat Samiti should, therefore, constitute a small sub-committee to supervise the Panchayat Samitis/Panchayats with the special objective of securing that they function institutionally. These committees should consist of such persons whose reputation and achievements in life have given them sufficient status and prestige so that their directions would be carried out by the institutions of the lower tier without any sense of hurt or a feeling of subordination. Training programme should include a particular course on the manner and method of carrying such programmes and guidance and the method of pointing out lapses without causing unnecessary offence. Directions given to tiers on the basis of supervisory guidance should invariably be by the Head of the higher tiers in consultation with the sub-committees indicated above.

The Acts constituting the Panchayat Samiti also provide for various functional committees; the powers vested in these functional sub-committees vary from State to State and to that extent limit the powers of the Pradhan of the Panchayat Samiti and the main body. We consider that the practice of carrying on the work of the Panchayat Samiti through sub-committees is sound and could be encouraged. It would be necessary in the interest of coordination to ensure that the President of Panchayat Samiti is *ex-officio* member of the sub-committees. In case of Panchayat these sub-committees should be advisory because of the existence of the Gram Sabha. The members of Panchayat should keep their constituency informed about the decision of the Panchayat. The Sarpanch/Pradhan of the Panchayat Samiti attending the meeting of the Panchayat Samiti/Zila Parishad, as the case may be, should consult his constituency before attending these meetings, and later inform them of their proceedings.

To safeguard against misuse of financial powers of the Sarpanch, it would be made obligatory on his part to inform the members of Panchayat

about the condition of the Panchayat funds at each meeting of the Panchayat and what is the balance deposited.

A meeting of all the Panches in a Panchayat Samiti area should be held once a year to discuss problems of common concern and interest. This will help to secure (*i*) Association of Panches with the work of the Panchayat Samiti, and (*ii*) that Sarpanches of Panchayats act institutionally, as these meetings will provide opportunities for Panches to ventilate lapses of Sarpanches on these counts.

Political Parties and Panchayati Raj

4.13. The political parties, the Team feels, play a great role in determining the shape of things in the field of Panchayati Raj. A number of suggestions, in this matter, have been considered by the Team, the upshot of which is that the Panchayati Raj institutions should be kept out of the orbit of influence of political parties, and be spared from the functioning of the party system. The elected representatives and office-bearers of the Panchayati Raj institutions, and especially of the Samiti and the Panchayat, should act, as representatives of the whole people. Every effort should, therefore, be made to keep as far as Panchayati Raj institutions are concerned, political parties out. It would be desirable, therefore, to ensure that parties are not allowed (1) to announce nomination to candidates, and (2) allot symbols and insignia to the different contestants. The best way to achieve this would be to persuade the villagers and the political parties to agree to choose their representatives on the basis of unanimous elections, or on the basis of near unanimity. This could be done either by prevailing upon the political parties, who may be requested to consider their relationship *vis-a-vis* the Panchayati Raj elections in a national conference of all major political parties, to be convened, may be by the All India Panchayati Raj Parishad so that they agree to impose necessary self-discipline on themselves by keeping away from village elections, or to allow unanimous election of candidates to take place at all village Panchayats. The climate for unanimous elections, once created, could be further strengthened by offer of inducements in the shape of additional grants either in lump and/or as recurring measures to those Panchayats where elections have been held unanimously and political parties have been kept out. This practice, the Team found, was in existence in Rajasthan. The Team recommends consideration of this practice by other States as well. For this and such other measures would go, the Team hopes, a long way to relieve political tensions in village elections and, thereby, to focus the attention of the people on the social bases of the Panchayat Raj movement, rather than to draw the same on its political fabric.

SUMMARY OF MAIN CONCLUSIONS AND RECOMMENDATIONS

Objectives and Approach

To secure development of participating democracy, as compared to representative democracy, which functions at the level of the higher tiers, should be one of the fundamental objectives of the Panchayati Raj movement. A true participating democracy could, however, be effectively promoted only at the level of the lower tiers of Panchayati Raj, that is, at the level of Panchayat and Gram Sabha. The question of bringing Gram Sabha into picture and endowing it with a definite role and responsibility, therefore, needs serious consideration. Although there are many, who feel that strengthening of Gram Sabha may weaken the Panchayat and the time of endowing it with powers of control over the Panchayat is not yet due, *Gram Sabha will have to be gradually brought into picture by assigning to it a definite status, role and set of functions.*

2. The development of the institution of Gram Sabha, however, depends upon the growth and regeneration of the village community; the concept of an integrated village community has not yet taken shape in our country and will be realised, only over a period of time. It will, therefore, take some time before the institution of Gram Sabha becomes vocal and effective. The existing role of the Gram Sabha as it is found in some of the States, where it is used as a primary village assembly and offers benefits of consultation and advice and acts as a check and balance over the Panchayat, needs to be recognised on a country-wide basis. The Gram Sabha must have, thus, a legal entity, some specific formal functions and a definite relationship with the Panchayat. The full development of the institution of Gram Sabha, as a body to whom the Panchayat will be ultimately responsible, cannot, however, be achieved merely by conferral of statutory powers on it. *It is only through constant practice of its immediate role of consultation assigned to it that the Gram Sabha will be able to gather necessary momentum and grow into an effective organisation of the village people.*

3. It is generally agreed that in days to come and in the final pattern of relationship, the Gram Panchayat should be responsible to the Gram Sabha but the question with which we are concerned at the moment is whether this relationship should be allowed to develop gradually through a process of convention, or should it be laid down by law as a pattern to be followed immediately by all the States. The issue appears to us to be largely academic, in view of the present development of the institution of Gram Sabha whose meetings are hardly attended by its members and in whose affairs the members show practically no concern. Once the Gram Sabha starts functioning, it is bound to influence the thinking and decisions of the village Panchayat. *To make its previous consent necessary for all decisions and actions of the Panchayat, therefore, appears unnecessary* and may act as a fetter on some Panchayats.

Status and Role of the Gram Sabha

4. The Gram Sabha should be statutorily recognised in each State and its meetings should be held more frequently, that is at least once in each

quarter as against the existing practice of twice a year. The Gram Sabha should consider the following at its meetings :

(i) Plan and budget of the Panchayat,

(ii) A note on the progress of village production plan and its implementation,

(iii) Six-monthly report on the working of different functional committees,

(iv) Annual report and accounts of the Panchayat,

(v) Summary of the annual report of the Panchayat Samiti,

(vi) A six-monthly report on the working of the village farm,

(vii) A six-monthly progress report on the community works under construction,

(viii) A quarterly report on utilisation of medium and long-term loans,

(ix) A review of the working of Village Volunteer Force and Defence Labour Bank.

5. In order to strengthen the Gram Sabha, it is, however, necessary to strengthen the Panchayat itself and to enable the two to work out a proper relationship between them. Since Panchayat is the executive of Gram Sabha, strengthening of the executive and defining the role and relationship of the Panchayat and Gram Sabha, will strengthen the Sabha itself. The Panchayat may have, accordingly, the following functions :

(i) Panchayats should be authorised to deal with matters relating to mutations, allotment of agricultural land, grazing grounds, forest rights of the village, distribution of water for irrigation and such other functions.

(ii) Lower grade officers at the village level should be guided by the Panchayat.

(iii) Development departments should not deal with individual villagers except through the Panchayat.

(iv) Nation-building departments should function in collaboration with the Panchayat, especially at times of village emergency.

We visualise that in the future pattern of growth of the Panchayat, it will develop into a stronger body and even take up functions of control on police and maintenance of law and order.

6. The Gram Sabha should review the working of the Panchayat in all the above matters, which will now fall within the jurisdiction of functions of the Panchayat. There shall be a question hour in Gram Sabha meetings, when any member would be free to raise questions and seek redress regarding any of the matters mentioned above. Apart from the question hour, our view is that the Panchayat should seek the consensus of Gram Sabha and look forward for the benefit of consulting it in all matters which fall within the scope of functioning of the former. The Panchayat Samiti and the officers of the Block, district and higher levels should, similarly, take the views of the Panchayat into consideration when they organise any activities or take any decision regarding the village concerned. The last two steps

would ensure that the Gram Sabha will have opportunities to have its say in all matters concerning the village.

Strengthening the Gram Sabha

7. In order to activise the Gram Sabha, we suggest the following measures :

(*i*) Gram Sabha meetings should be held in rotation in each of the constituent villages. The venue in each village should however be common.

(*ii*) Gram Sabha meetings should be held at a time and in a day when the villagers are not busy in their agricultural operations.

(*iii*) A recreational programme or film show be organised immediately after the meeting of the Gram Sabha.

Size and meetings of Gram Sabha

8. Having regard to the considerations of viability and community characteristics, a population of about 400 to 500 should have a Gram Sabha.

9. In order to enable Gram Sabha to be wieldy and a functioning body, it is desired that the Gram Sabha in a big village, with a population exceeding 1,500, should consist of ward-wise Up-Gram Sabhas, which may hold meetings and convey their decisions for consideration of the whole Gram Sabha. In such a village where there will be Up-Gram Sabhas, the meetings of the Gram Sabha in addition to those of Up-Gram Sabhas may be held twice a year, whereas the meetings of the Up-Gram Sabhas be held once in a quarter.

10. There should be a quorum both for original and adjourned meetings of the Gram Sabha and such quorum in both the cases should be formed by attendance of 10% of adult voters in the Panchayat area. Ten per cent of adult voters should similarly have the power to requisition a meeting of the Gram Sabha.

Decision-making in Gram Sabha

11. Decision-making in Gram Sabha meetings should, as far as possible, be achieved through arriving at consensus. If, however, a decision has to be acquired through voting, two-third majority of the members present should be insisted upon.

Functional committees

12. To realise the objectives of participating democracy in full, the Panchayat should set up a number of functional committees including members of the Gram Sabha on such committees and with a member each of the Panchayat as the convener of each of such committees. Each of these functional committees should be entrusted with the management of one or other of the developmental subjects of the village. The functions of these committees should be mainly advisory, their suggestions and advice being forwarded to the Panchayat for necessary action and for being discussed in the Gram Sabha as well.

Village Production Plans

13. Whereas village production plans should be of main interest to that section of the village population, who own land and participate in cultivation in some way or the other, the Gram Sabha as a whole would be interested in schemes relating to utilisation of surplus labour force and in such matters which ensure more effective coordination between the supply line and other productional prerequisites. *The Gram Sabha should and thus could, be fully associated with the implementation of village production plans.*

14. In order to make the village production plans simpler and more comprehensible to the villagers, the present practice of having elaborate plans running into several columns of complicated data, may be re-examined and in view of the fact that the village production plans contain today many unnecessary items, it may be revised and that the total requirements of essential supplies of credit, seed and fertilizer required by cultivators may only find place in it. This would make the plan more comprehensible and suitable for discussion in Gram Sabha.

15. To stimulate production, a few good farmers, who perform essential labour by themselves on their holdings may be selected by the V.L.W. and the production plans of the former vigorously and conscientiously supervised by him; and if this could induce them to follow all the cultural practices, which are today inserted in the village production plans, this would go a long way in securing their adoption by the rest of the cultivators.

16. The Panchayat should levy a betterment tax for improvements effected through shramdan by members of the whole community, on the assets of particular individuals/sections of the community, and which benefit these particular individuals/sections of people. The funds thus realised could be credited to the Defence Labour Bank. This would stimulate those sections of the village community who have no assets to improve, but contribute their labour through shramdan or the Village Volunteer Force.

Village Volunteer Force

17. The Village Volunteer Force may form a permanent feature of our rural development activities. The Force should consist of persons between the age of 18 and 45.

18. The functions of the V.V.F. should be the following :

(*i*) maintenance of law and order in the Panchayat area,

(*ii*) checking spread of rumours,

(*iii*) fighting fire and epidemics,

(*iv*) offering first-aid and removal of casualties to hospitals,

(*v*) discharge of other civic responsibilities, *e.g.*, management of fairs,

(*vi*) night patrolling and protection of property and life in the Panchayat area.

19. To secure popular support for the scheme, it would be desirable if the Dalpati is coopted on the Panchayat as a non-voting member.

20. Organisation of V.V.F. at the village level should be integrated with corresponding organisations at the Block, Tehsil, district, divisional and State levels.

Panchayat and Cooperative

21. In addition to one service cooperative in each village, the Panchayat Samiti should organise, in the shape of agro-industrial projects, larger cooperatives catering to the needs of a number of Panchayats, in order to secure fuller employment for the un- and under-employed members of the village community as well as for the weaker sections.

22. All cooperative assistance, other than loans to the individual villagers, should be offered through the Panchayats and the Panchayats should take special steps to ensure that the credit and other needs of the weaker sections are adequately attended to.

23. In order to secure better coordination between the Panchayat and the Cooperative, and especially for securing effective implementation of the village production plans, a member of the Panchayat should be a member of the managing committee of the Local Cooperative Society, without right to vote. Similarly, a member from the Cooperative Managing Committee should be coopted on the Panchayat sub-committee for village production plans.

24. The Panchayats, wherever they are in a position should subscribe, out of their funds, to the share capital of the cooperatives, so that the former could help to strengthen the cooperative movement of the villages.

Welfare of women and weaker sections

25. In order to secure participation of the women members of the Gram Sabha, it is suggested that (*a*) two women members should be coopted on the village Panchayat (in case no women members were duly elected) and (*b*) the issues concerning the women-folk of the village may be discussed in a Mahila Mandal meeting preceding the Gram Sabha meeting, so that the women members could put forward their views in a more effective manner.

26. While drawing up the Budget, the Panchayat should give special attention to the needs of the scheduled castes/tribes and the Zila Parishad may call for an annual report from all Pradhans in its jurisdiction in order to ensure that the problems of the weaker sections have been effectively dealt with in their respective areas. The Panchayat should also form a sub-committee to look after the welfare of the scheduled castes/tribes.

27. It is recommended that at least a member of the scheduled castes/tribes be coopted on the Panchayat/Panchayat Samiti, provided that they form 10 per cent of the total population of the area and unless a representative of this group has been elected to these bodies through the normal process of election notwithstanding the fact that local M.Ps. and M.L.As. may already be on these bodies as *ex-officio* members. Subject to the above stipulations, one of the posts of Sarpanch/Up-Sarpanch of the Panchayat, or Pradhan/Up-Pradhan of the Panchayat Samiti should also go to a member of the scheduled castes/tribes.

Executive assistance for Panchayat & Gram Sabha

28. The Panchayat should have the services of a Panchayat Secretary to look after its working. A specific functionary, working at the village level and trained in extension methods for development of Panchayat and Gram Sabha, should also be appointed. There are now a number of functionaries such as the V.L.W., Panchayat Secretary and so on, who function at the level of the Panchayat but sometimes have more than one Panchayat to attend to. We feel that the whole question of having a specific village functionary for each Panchayat, who could attend to the working of the Panchayat administration as well as extension activities, should be thoroughly enquired into.

Panchayati Raj tiers

29. The Panchayat should be composed of elected members and all adult members of the area should elect the Sarpanch. The Sarpanch should be the *ex-officio* member of the Panchayat Samiti. The Panchayat Samiti should thus be composed of all the Sarpanches of the area and a few others elected by an electoral college composed of the Panch as of the area. The total number of the latter category should be at least 10 per cent of the total membership of the Panchayat Samiti. No member, other than those belonging to the scheduled castes/tribes, should, however, be coopted on the Panchayat Samiti, if he had lost any primary elections.

Tenure

30. With a view to reduce political fervour, which is usually associated with elections, we feel that the Panchayat should be a self-continuing body, one-third of its members (the exact number depending on size of Panchayat) retiring every year. Every Panch, under the scheme, should hold office for not more than three years as a result of each election, after which he should retire. He may, however, be eligible for re-election but not for more than two consecutive terms, that is, he will not be in office for more than six years at a stretch.

Panchayati Raj Courts

31. State Governments may explore the possibility of appointing a peripatetic Panchayati Raj court—one for each district, with an officer of the rank of sub-Divisional Officer having adequate knowledge of and sympathetic approach to village problems, to settle disputes arising between the Panchayats and individual villagers.

Evaluation

32. It would be a welcome idea of the State Governments could effectively evaluate the working of the Panchayats and Panchayat Samitis and allot more funds to the deserving Panchayats thereby offering impetus for Panchayats to work effectively. An evaluation organisation should, therefore, be appointed in each State preferably under non-official auspices and functioning outside the organisation of the Development Commissioner and/or Director Panchayats, for evaluating the performances of the various Panchayats and Panchayat Samiti on the basis of a well-drawn up criteria

which would include, *inter alia,* the interest taken by these institutions in the development of Gram Sabha.

Training and education

33. We feel that it is not necessary at this stage to fix any educational qualification as condition-prerequisite for election to various offices in Panchayati Raj institutions. The State/District/Block organisation should, however, organise and arrange for compulsory training of members of Panchayat, and if possible for all adult members in order to induce them to take intelligent interest in the working of the Panchayat and Gram Sabha.

Tiers and Officials

34. The question for consideration before the Team in this regard were :

(*a*) relationship between the people's representatives and the officials working at each tier;

(*b*) relationship between the officials of the same department working in the different tiers;

(*c*) the relationship between the people's representatives in the different tiers;

and our recommendations are that services in our country, as is the pattern in some States, could be divided into all-India, Central, State and Panchayati Raj services. It is important to secure that a certain proportion of services in a higher cadre is reserved for promotion from the lower cadre and there should be possibilities of promotion from Panchayati Raj services to State services.

35. With regard to officials like clerks, peons, etc., whom the Panchayats employ for their work, the Panchayat should be in full control and authority over them.

36. The second category of personnel working in the Panchayat area, but having more than one Panchayat areas in their charge, *e.g.,* Patwari, irrigation 'patrol', tube-well operator, officials belonging to forest and public health departments, etc., their confidential reports should be recorded in the first instance by the Sarpanches of the Panchayat areas in which they operate. In cases of complaint about their work, a convention should be established that complaints from the Sarpanches should be promptly dealt with.

37. With regard to the third category of officials, which would include police constables, forest guards and officials of other non-development departments, the procedure of making complaints to their superior officers and securing replies to these in the meeting of Panchayat Samiti should be followed.

38. At the level of the Panchayat Samiti, the B.D.O. should be responsible to the Pradhan and the latter's supervision over the Panchayat Samiti staff be exercised through the B.D.O. The Pradhan should also write the confidential reports of all the extension officers including the revenue officer, posted at Block headquarters. In so far as the B.D.O. is

responsible for coordination, the Pradhan should be able to avoid direct dealings with the extension staff. This is a matter of proper orientation and should be dealt with by the training programme provided for Pradhans and similar classes of non-officials.

39. The Block Development Officer should have the status of a Provincial Civil Service officer so that he could command confidence and ensure smooth functioning of the administration of the Panchayat Samiti. This would help him to work out a proper relationship with the non-official members.

40. In determining the relationship between various officials working in the same department in the various tiers, we consider that the administrative and technical responsibility of the departments should remain undisturbed. This would include not only offering of technical advice and directives, but also grant of leave, provision of substitutes, etc., which should be the responsibility of the departments. We do not think that this would come in the way of drawing up programmes of work at the village level.

41. The general import of working out proper relationship between people's representatives in the different tiers, is to secure coordination between the work of various bodies within the jurisdiction of the higher tier, while leaving them sufficient freedom to plan development programmes suitable to their local conditions. The village Sarpanch should be unfettered in selecting programmes of work which they have to finance exclusively from their own resources. In addition to the general supervision and direction laid down in the Acts, there would be at the higher level officials whose duty it would be to inspect and guide the working of these institutions, so that the duties laid down in the Acts could be adequately discharged by the body concerned. The responsibility for any decisions on reports regarding the working of lower tiers, should be taken by the appropriate representatives of the people and not left to the reporting officer.

42. A revenue official may be associated with the Block organisation, with headquarters at the Block, so that prompt action may be taken on villagers' grievances regarding allotment of land, removal of encroachments, mutations, etc.

Institutional functioning

43. The Panchayat should keep its electorates informed of the developments that take place in Panchayat meetings.

44. One of the ways of securing that the office-bearers of the Panchayat act institutionally is to ensure that their work is regularly supervised. The Zila Parishad and Panchayat Samiti should, therefore, constitute small sub-committees to supervise the working of the Panchayat Samiti/Panchayat, as the case may be, with the special objective of securing that they function institutionally.

45. Training programme for the officials should include a particular course each in the manner and method of implementing programmes of guidance and pointing out lapses without causing unnecessary offence. Directions given to tiers on the basis of supervision and guidance should invariably

be by the Head of the higher tiers, in consultation with the sub-committees set up for the purpose.

46. The Panchayat Samiti may appoint specific functional sub-committees for supervising the work of lower tiers and thereby ensure association of the members of the Panchayat Samiti with the working of the institution. There should be provision for holding a meeting, at least once in a year, of all the Panches of the area with a view to secure more effective association of the Panches with the working of the Samiti.

47. To safeguard against misuse of financial powers of the Sarpanch, it should be made obligatory on his part to inform the members of Panchayat about the condition of the Panchayat funds at each meeting of the Panchayat and what is the balance deposited.

Panchayat elections & Political parties

48. Elections to the Panchayat should be non-political in as much as political parties should refrain (*a*) from announcing/nominating candidates (*b*) allotting party symbols and insignia for different contestants in Panchayati Raj elections.

49. Those panchayats where elections have been unanimous may be offered inducements in the shape of additional grants either in lump or as recurring measure.

50. In order to prevail upon the political parties to take a non-political view of the Panchayat elections, we feel that a meeting of all political parties should be convened by some organisation of standing (*e.g.*, All-India Panchayati Raj Parishad) in order to help them to come to an agreed decision that the political parties should not contest Panchayat elections on party basis, so that they may agree to set up candidates who would be elected unanimously.

NOTES OF DISSENT & ANNEXURES

A NOTE BY SHRI RAGHUBIR SAHAI

Though strictly speaking our terms of reference may not include review or appraisement of the work done under Panchayati Raj in various States and we have not got the full data to enable us to come to definite findings in that respect, yet from what little we have seen and facts and information brought to our notice, while we were on a visit to a State, feel more than inclined to give my impressions as well as suggestions with a view to see that Panchayati Raj works more efficiently and expectations entertained about it are fulfilled. It is inherent in the terms of reference that the active association of the Gram Sabha will make the work of village panchayats more broadbased and ensure the greater good of the community. Had the expectations of the three-tier Panchayati Raj system been fulfilled, the idea of associating the Gram Sabha would not have arisen at all. Therefore, reference about the working of the system becomes relevant.

In fact the Balwant Rai Mehta committee never discussed about the Gram Sabha. All that it discussed was the Gram Panchayat in relation to the three-tier system advocated by it. The main reason for recommending the three-tier system and placing the entire development work in the hands of elected representatives was that it would evoke more public enthusiasm and response as without them no programme could be successful. The idea of associating Gram Sabhas with the village Panchayat is a later development, though in the U.P. Panchayat Act of 1947 as also in the Bihar Act of 1947 there is a provision for Gram Sabha. Even after the introduction of the three-tier system and specially the constitution of village Panchayats on a purely elective basis, we find that sufficient response has not been evoked and people as such have not been enthused to the maximum about this work.

Besides taking part in the elections and having returned their representatives, the general mass of the people in the villages cease to take interest in the day to day affairs of the Panchayat with the result that either the Sarpanch or the party supporting him do the entire work or is left to the Panchayat Secretary who is a paid man. At most places the village Panchayats were found to be virtually under the control of the Secretary who sometimes consults the Sarpanch. This is certainly not what was intended by Panchayati Raj or institutional working of the Sarpanch or even the Chairman of the Panchayat Samiti. On the other hand, Panchayati Raj aimed at transforming the entire life of the village economic, social and cultural with the help of active participation of all able-bodied persons in the villages.

The weaker section as such had their own complaints of neglect and even in the matter of general amenities and other developmental work, there was neither requisite earnestness or urge to have them done. In many cases, even if there were funds, they were not utilised. Now that brings us to the question of the quality and the calibre of the representatives returned in these elections specially to the Panchayat and Panchayat Samiti. At many places, particularly in U.P., it was pointed out that right men have not been returned to the right place, meaning thereby that in many cases undesirable persons have been elected, who are unable to comprehend the nature of work and who hardly know what they were expected to do.

That would go to show that the general mass of the electorate was only interested in taking part in the elections and not looking into the merits of the person whether he was a fit person for the job or not. That kind of awareness or awakening was not at all present. It can only be done if the entire Gram Sabha was a conscious body, taking intelligent interest in the day-to-day work of the panchayat and was consulted from time to time. That was a matter of education, a slow process though, but sure indeed in the long run.

An important point to be considered in this connection is whether any educational qualification was to be fixed in case of the Sarpanch and Pradhan. In many cases it was found that the Sarpanch and Pradhan, but mostly Sarpanches were illiterate. They could not look into account books, nor could they be sure of what was written in the proceedings books. As a rule they were quite ignorant about the rules and main provisions of the Panchayat Act. It is true that some of them may be men of sturdy commonsense, but that is not quite enough. Here these elected representatives have executive functions to perform and had to deal with the disbursement of funds. An illiterate person cannot do justice to the task. It is quite right that at present there is no educational qualification laid down even for a member of Parliament or State Legislature, but they are not to perform any executive functions nor are they called upon to deal with funds. So that argument would not be appropriate. Even if it involved a departure from the prevailing practice it would be advisable to fix some minimum educational qualification, say a 5th class for a Sarpanch and middle pass for the Pradhan. That would, no doubt, have a very salutary effect on the whole system. It may be possible that in the beginning we may have to be deprived of the services of some very sensible persons, possessing sturdy common sense, otherwise illiterate, but such cases will be few and and far between.

In this study of Gram Sabha institution and incidentally of the entire Panchayati Raj institution, it became more and more clear as we moved from one State to the other that very much depended upon what amount of interest the State Government took in the whole matter and specially by the Chief Minister. If the State showed lukewarm interest in the whole set-up of Panchayati Raj, what meant despite the machinery from top to bottom, the thing was unreal, lifeless and more or less a make belief, but if it was earnest about it, then the whole thing was bubbling with life and one felt a thrill of pleasure at it. Earnestness on the part of a State in Panchayati Raj could be judged by the active interest evinced by the Minister-in-charge of this portfolio, his knowledge about the working of the scheme and his familiarity with work of every tier informed discussion on the subject and the amount of constructive suggestions they made, the enthusiasm shown both by the non-officials in charge of these bodies and the officers, and the amount of development work done and funds usefully spent. It will have to be admitted that the interest shown varied from State to State. Some like Maharashtra have gone all out for making Panchayati Raj a great success and have not only entrusted these bodies with sufficient powers but resources as well. There was no mental reservation in their mind in regard to that. Others like Madras had their own doubts and reservations in regard to transfer of power and resources. The doubts and reservations of the latter had to be removed for till then a sound beginning of the Panchayati Raj could not be made. That can only

be done at the All India level, by the Planning Commission, the National Development Council, the Conference of Ministers specially of the Chief Ministers, to be addressed by the Prime Minister and the Union Minister of Community Development and Cooperation.

To bring the entire Gram Sabha in the picture and make them development minded, it was necessary that so far as development was concerned and the improvement of the village as a whole, the entire village population should feel like one single entity, not to be led away by considerations of caste, community, group or otherwise. In the first place, we should try to bring about unanimous elections for the village Panchayat or have them by near about unanimity. The village people should not have to go in election petitions or carry on the trails of bitterness left after fighting out contested elections. That was most injurious for the Panchayati Raj. It was not necessary that democracy as we understand should be carried to its logical conclusion with regard to Panchayat elections. We certainly do not need that sort of democracy there. In the first place that would be too expensive an affair, in the second place this would strike at the root of Panchayati Raj, which would strive to make villages not only self-sufficient but well-knit units of self government with fellow feeling and sense of oneness. Not only should be election to these bodies be as far as possible on an unanimous basis but decisions taken by them be arrived at unanimously or by near unanimity. No trace of bitterness should be left behind. That is why it would become necessary to give some incentives to those villages in which the Sarpanch has been elected unanimously, not under coercion but consciously and knowingly and in a spontaneous manner. It is true this could not be had for the mere wishing or asking. That would require a serious effort, a systematic education of the people at large.

It would be proper to have gradations of village Panchayats; such as A, B and if necessary C, which is recognised in Bihar, Maharashtra and Gujarat. The lowest grade of Panchayat may have minimum of powers and minimum of resources, but as the performance improves and Panchayat gives proof of its capacity that more powers can be invested, it can have both enhanced powers as well as resources. Unanimous election of the Sarpanch should be one of the considerations entitling a Gram Panchayat to have more resources.

We may not copy the democratic institutions of the West in its entirety right down to the villages nor do we think that participation of political parties in village elections is necessary. It is said that political parties would leave the village panchayat elections alone but would take interest in samiti and parishad elections. But these three institutions are part and parcel of the same Panchayati Raj set-up and what is true of village Panchayat is equally true of samiti and parishad as well. That certainly will not mean that political parties shall have nothing to do with the election of State Legislatures and Parliament. We shall have to arrive at some common understanding between all the political parties as each and every one of them would feel equally interested in the well-being of the village. At the same time we would have to see in the absence of political parties, unscrupulous elements propagating caste interests and other pernicious influences do not take the upper hand and come to control the entire village life. That should be one of the considerations to be borne in mind.

It has been said that whatever the State Government is in earnest and is prepared to entrust the Panchayati Raj institutions with more power and place greater resources at their disposal, the programme has greater scope for flourishing. Does that mean that Gram Sabha should be given more powers and that their decisions should be of a binding character on the village Panchayat. Though Gram Sabha should be considered to be the supreme body but time has certainly not come when their decisions should invariably be regarded as of a mandatory character. In the beginning Gram Sabha should be made an active enthusiastic body, to which opportunity is given to discuss the annual budget, the audit report and any fresh proposals for taxation. General consensus should be certain and the village Panchayat would be well advised to take that into consideration and go as far as possible by that consensus. It would be rather premature to invest the Gram Sabha with the power of making decisive decisions or with the power of recall of an erring panch, though the right of passing a no-confidence motion against a Sarpanch when he is elected by the entire adult population may continue to vest in it. It should have an advisory role to play in the beginning. Later on we can well conceive of a time when Gram Sabha's voice would be final and decisive but that time has not come yet. Gradually it shall have to be built up as the supreme body of the whole village.

At the present moment a tendency was found on the part of the village Panchayats to complain about paucity of resources and a habit for not levying taxes and not making serious efforts to realise them whenever so levied for augmenting their resources. It is true that in disposal but in the long run they will have to depend upon their own and will have to make an effort to raise them. The more the funds placed at their disposal will be spent for the benefit of the people, the more they would become agreeable to have reasonable taxation imposed on them and realised. Merely spending of money will not create that confidence or readiness to be taxed. In former Saurashtra, now under the Gujarat Act, village Panchayats, such a readiness was to be seen for they felt and believed that whatever was realised from the people was spent for their benefit.

In order to foster people's interest in the Gram Sabha, not only statutory recognition of the body is necessary within a provision that it should meet at least twice a year, but that steps are taken to see that the meetings are well attended. It should be made a forum where village people can put questions and elicit answers from the Sarpanch or problems connected with the welfare of the village and development. Some of their grievances could be discussed. If some responsible officer of the Block or District level is present at this meeting; attendance was bound to increase. This was so in some of the Gram Sabha meetings in Rajasthan where the Collector took personal interest in them and took with him some of the Distt. Level Officers of the various departments connected with development. Non-officials as well could contribute lot towards making Gram Sabha a live body by attending their meetings.

At present the Sarpanch of a village Panchayat is elected in some States by the entire adult population of the village, in others by the elected Panchas, whose number varies from 8 to 15 according to the size of the village. Either system has its own merits or demerits but it would certainly be more beneficial if the Sarpanch was elected by the general mass of adult people in the village. The possibility of winning over a half or more than a half of the elected Panchas by objectionable methods would be entirely

obviated and one would have to seek the cooperation of a large number of people for whose welfare he is expected to work after his election. The same system should be followed in the election of the Pradhan or Chairman of Panchayat Samiti, *i.e.*, by the entire body of elected Panchas of villages constituting that Samiti.

However ideal a system may be and Panchayati Raj is one such that has been evolved after great thinking, yet it may be necessary to see that that personnel both official and non-official designed to work it out is given the proper training and guidance at each and every level and there is a continuous and systematic check and supervision and there is an assessment of the work done from time to time. Without that the whole thing may turn out to be a will-o-the-wisp and may cause disappointment. Despite our realisation and our attempt to proceed in this direction, we will have to admit that we have not been able to produce the requisite material not has there been a proper supervision or assessment of the work done. Funds in many cases have been found to be unutilised or they have been spent in an extravagant manner without producing proportionate results. Therefore we will have to see that our entire machine for training, supervision and assessment is geared up.

With regard to the education of the village people it is no doubt true that enough interest has been stimulated in the people to take part in the elections and they do so and cast their votes for this or that candidate. But thereafter the interest ceases and the elected persons are left to themselves, with the result that sometimes they do not work at all, sometimes in their own arbitrary way but certainly not in the best interest of the people. To ensure that the entire work is done efficiently and in the interest of the people, there is a provision for training. But as said above, this is not sufficient. There must be a programme of continuous education and that should not be left to the officials alone. Non-official element at every level should equally feel responsible for this work. To utilise the masses for the purpose of securing their vote alone is not sufficient. They should also be given education with a view to see that they elect the right type of man as Panchas who would like active and intelligent interest in their work and would see that development and production programmes are carried out in their entirety. To blame the government and the official machinery for this or that would not serve any purpose. The more the non-official element such as elected M.L.As., M.Ps. and Presidents or Pramukhs of Zila Parishad or Chairman of Panchayat Samities and members of the voluntary organisations take active interest in this, the better would be the results. In this connection the work done by Panchayat Parishad in Bihar which is a purely non-official and non-political body, has to be commended to other States as well. Their work has been appreciated by the Bihar Government and on no occasion was there any conflict of interest between the Parishad and the Government. In each and every State such an organisation would be a source of great help provided that those who man it are themselves actuated with a missionary motive, interested in the success of Panchayati Raj on a non-political basis. They would be also able to counteract the activities of those who are caste-ridden and would otherwise like to exploit it for their selfish and sordid ends.

Intervention of a state of emergency by the sudden attack of China has naturally diverted the attention of the Government and the People to the defence of our country. But in that the C.D. and Panchayati Raj programme

could as well play a very important part throughout the length and breadth of the country. We could utilise this occasion for finding out where the working of the programme has not been satisfactory as pointed out in some of the preceding paragraphs. All those gaps should be filled in and the entire programme geared up to respond to the call of the hour.

The organisation of the Village Volunteer Force should be on realistic lines so that the enthusiasm of the young men recruited for this purpose could be maintained by giving them uniform, rewards for meritorious service, honorarium to the Dalpati and grant of arms licences in the case of deserving persons. This service could then be utilised for stimulating village production and other developmental works and also to protect the village from the activities of anti-social elements. It would also be necessary to see that implementation of a sanctioned work becomes easy by not only making requisite funds available but also that the technical skill required is near at hand. At present there is a kind of inertia in the people both official and non-official with the result that things are not as satisfactory as they should be. Take the case of village production plans, which are required to be drawn up for the entire village. As a matter of fact these plans are generally prepared by the VLW with very little or no consultation by the village Panchayat or the Gram Sabha. It has nothing to do with the realities of the situation and that is why there has been no true or correct assessment of the rise in production in village as a result of the efforts made by the development departments in this direction. The point to be borne in mind is that in the present state of affairs, when village people are not prepared to be present in the Gram Sabha meetings even if they are present, they would not take an intelligent interest in the proceedings, and much less interested in the rise of production of the entire village. Would it not be more appropriate to begin with each and every holder of the land to be approached individually and find out from him what will be his requirements for the year, which could be entered in a book to be kept by him and also the quantities of material supplied to him and the total output at the end of the crop. All these entries could be made by the VLW or any other responsible person of the village from time to time. The book just like a pass book of the Savings Bank could be called a "Pragati Report" and which if kept properly, could very well indicate what the progress has been. The result of the entire village could as well be tabulated from individual pass book and every cultivator would be in a position to say that he obtained, what he has done in regard to produce more and how much he has raised in a certain season or crop. These books could be seen by anyone interested in the matter such as any Block Officer, district level officer, Pradhan of the Samiti or Pramukh of the Zila Parishad. The present system of preparing the production plans for the whole village is entirely unrealistic and little helpful in raising production.

In order to make a correct and up-to-date assessment of the working of Panchayati Raj in the entire country it has become necessary that a comprehensive enquiry be made by a high powered committee; which may as well suggest that further steps need to be taken to put the whole thing on a sure and sound basis. This was envisaged by the Balwant Rai Mehta Committee as well that inquiry into the working of the whole programme at the three levels be taken up from time to time.

NOTE OF DISSENT BY SRI G.P. JAIN

My disagreement with the Report is basic. The Report has not recognized unequivocally that at the village level Panchayat is the administrative body and Gram Sabha the decision-making body. The Report expects the above relationship to develop at a distant future, but it has itself not done anything to accelerate the process on the contrary, by giving the Gram Sabha on advisory status for many years to come it has relegated the Gram Sabha to an inferior position *vis-a-vis* the Panchayat, leaving the field open for a few influential members of the Panchayat or at most the majority in it to have the run of the things in the village. This, I earnestly feel, will keep more people away from the Gram Sabha and will lead the Gram Sabha to wither away in course of time.

The question is simple : In the event of a difference of opinion, whose voice should prevail ? It is not a mere academic question. Such situations will arise frequently. Should the voice of the Gram Sabha be allowed to be flouted by the Panchayat ? I consider the implication fantastic that if the Gram Sabha supports a Panchayat's proposal, the Panchayat has secured popular backing, but if the Gram Sabha opposes it, the Panchayat may still implement the proposal on the assumption that the Gram Sabha's was not the true voice of the people. We cannot have it both ways. If we regard the Gram Sabha as mature enough to discuss a proposal, we must also regard it as mature enough to know its interests and arrive at a decision.

It is correct that the Gram Sabha is not what it should be, but if we take the fatalistic approach that it is moribund now and will continue so for many years, we shall fail to provide the Gram Sabha opportunities to develop to its final form on which there seems to be no disagreement. The Report holds out against the Gram Sabha that its meetings are thinly attended and seldom there is quorum. How can such a body be clothed with authority ? But in the same breath the Report says that if there is larger attendance at the Gram Sabha meetings, the consensus will be difficult to obtain. We should be clear what we want. Do we or do we not want a largely attended Gram Sabha ? If we do, we must devise methods by which a consensus may be elicited. If the understanding of the Gram Sabha members is low, as it may be, a resolution may be broken down into a few simple questions and answers to them may be obtained from the audience. If the adult membership of 1,000 or so is considered too large for smooth working of the Gram Sabha, it is reasonable that we should suggest smaller membership or suggest meetings of the Gram Sabha ward-wise. But we are far from being fair when we condemn the Gram Sabha for being thinly attended, on the one hand, and for being too largely attended on the other.

It came to the Team's notice again and again during the field evidence it recorded that if the Sarpanch was keenly interested in calling a meeting of the Gram Sabha he was indeed able to have a quorum. Therefore, the Sarpanch should be put under an obligation to call a meeting of the Gram Sabha by fixing a sizeable quorum also for the adjourned meeting for which no quorum is required now. The Sarpanch will then find it necessary to make real efforts to have good attendance at the Gram Sabha meetings.

Sabha's capacity is recognised, the argument in favour of giving it only advisory functions falls to the ground.

I consider it important that the Gram Sabha should have a decisive voice in respect of the following matters :

1. Annual Budget.
2. Annual work programme.
3. Review of the Panchayat's progress report.
4. Control on expenditure.

While I am for strengthening the Gram Sabha *vis-a-vis* the Panchayat, I am in favour of strengthening the Panchayat as the implementing body of the Gram Sabha, *vis-a-vis* the Block or district officials of the State. It is common knowledge that village people suffer harassment at the hands of three officials—(1) revenue patwari, (2) canal 'patrol' or tubewell operator, and (3) police officer. It is a matter of satisfaction to me that the Report recommends bringing in the first two officials under the Panchayati Raj institutions. I wish a little more courage were shown to give some control to the Block Samiti, if not the village Panchayat, over the police also. I am aware that armed with this authority elected Panchayat officials might do grave injustice in some cases out of partisan considerations. But for every case of injustice done, I have no doubt in my mind, there will be cases of injustice undone.

I suggest that it should be made obligatory for the police officer in-charge of a 'thana' to attend each meeting of the Panchayat Samiti in his area and answer complaints either on the spot or at a subsequent meeting. On the basis of the record of the Panchayat Samiti meetings, the Pradhan should be invited to make a report to the district police organisation about the work and conduct of the police officer concerned, and that report must be given due weight by the higher authorities.

Institutional Functioning

To enable the Sarpanch to function institutionally and properly, a full-time Panchayat Secretary should be attached to each Panchayat, as is the practice in Himachal Pradesh and Bihar with good results. In Bihar, there are 10,641 Panchayats and an equal number of Panchayat Secretaries. The whole-time Secretary will have the same status at the Panchayat level as the B.D.O. has at the Block level. He will prevent the non-institutional proclivities of the Sarpanch. He will conduct extension work in the village, educate adults about their responsibilities as members of the Gram Sabha and he will also make efforts to have the Gram Sabha meetings largely attended. If a full-time Panchayat Secretary cannot be had for financial reasons, I suggest a Panchayat Secretary-*cum*-V.L.W. may be appointed at each Panchayat headquarters. Since most of the development jobs are in future going to be undertaken through the Panchayat, it is as well that the V.L.W. and Panchayat Secretary are one. This person should be adequately trained in the extension methods, techniques of organisation and conduct of meetings.

One more point. That a chairman may be nominated by the Block organisation to preside at a Gram Sabha meeting. His position will purely be that of a Speaker and he will see that even matters which are inconvenient or embarrassing to the Sarpanch are given full airing.

NOTE OF DISSENT

While agreeing with other recommendations of the Team in general, I wish to stress one point that such members who have had lost any primary election, should have a right to contest the election of cooption by higher bodies or not. I am not convinced why such a member should have no right. It is true that he has lost the primary election from any particular area, but it does not mean that he has lost the faith of the whole area of higher body also. Take for instance. 'A' contested an election for the membership of the Panchayat from a particular ward of the Village Panchayat, where there are ten to twenty wards. Now suppose 'A' wants to contest the election of cooption by Panchayat Samiti, where there are 30 to 40 Village Panchayats. Here it depends upon the choice of the Panchayat Samiti members whom to coopt and whom not to coopt, and how can you debar 'A' to contest this cooption and how can you say that 'A' has lost the confidence of whole Panchayat Samiti area, because he has been defeated only from a particular ward of any particular Panchayat area, not even by any Panchayat as such. It may be possible that 'A' has been defeated due to certain causes from that area, but the people of other wards and other Panchayat members and people of whole Samiti area, like that man. So I do not find any justification to debar that man from contesting the election for cooption by Panchayat Samiti.

JAGANNATH PAHADIA
31-3-1963.

ANNEXURE I

LIST OF REFERENCES

1. A Digest; Panchayati Raj (Revised) (New Delhi; MCD&C, 1961)
2. Democratic Decentralisation (New Delhi; MCD&C, 1959)
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5. Panchayati Raj in Progress, 1960
6. Panchayats At A Glance (Revised)
7. Report of the Working Group on Panchayats, 1959
8. Three Basic Institutions, 1959
9. Report of the Working Group on Panchayats & Cooperatives
10. Report on Local Government in Yugoslavia (1960)
11. Panchayati Raj, Ten Point Test
12. Seminar on Public Administration in Panchayati Raj held at Mussoorie, Summary of Conclusions
13. Proceedings of the 5th & 6th Meeting of the Central Council of Local Self-Government
14. Some Successful Panchayats—Case Studies (PEO) 1960
15. COPP Team Report (Leader, Balwantrai Mehta) Vols. I, II, III, 1957
16. Report of the Rajasthan Cabinet Evaluation Committee
17. Reports of Study Teams on Democratic Decentralisation in Rajasthan and Andhra Pradesh (AVARD)—1961
18. Report of the Study Group on the Welfare of the Weaker Sections of the Village Community (Leader Sri Jayaprakash Narayan)
19. Summary Records of Development Commissioners' Conference held from time to time
20. Community Development through Panchayati Raj, 1961 (Shri S. K. Dey)
21. Relevant extracts from 'PANCHAYATI RAJ' and 'NILOKHERI' by Shri S. K. Dey
22. How the Soviets Work by Ford, Brails
23. Soviet Russia in New Civilisation by Sydney & Webb
24. Foundations of Local Self-Government in India, Pakistan and Burma (1954)
25. Panchayat Acts, Bills and Rules of State Governments and Union Territories

ANNEXURE II

QUESTIONNAIRE

No. SG(2)/62-63

GOVERNMENT OF INDIA

MINISTRY OF COMMUNITY DEVELOPMENT, PANCHAYATI RAJ AND COOPERATION
(DEPARTMENT OF COMMUNITY DEVELOPMENT AND PANCHAYATI RAJ)

KRISHI BHAVAN,
NEW DELHI,
August 4, 1962.

To

All those whom it may concern.

Subject—STUDY TEAM ON THE POSITION OF GRAM SABHA IN THE PANCHAYATI RAJ.

SIR,

The Government of India have constituted a Study Team on the above subject. A copy of the notification setting up the Group and specifying its terms of reference is enclosed.

2. In order to elicit information and views from authorities concerned, the Study Team has prepared a Questionnaire, two copies of which are enclosed. It is requested that one copy along with the answers filled in may kindly be returned, as indicated in the letter enclosed, while the other may be retained in your office. More copies of the Questionnaire can be supplied on request.

3. It will be appreciated, if the replies to the Questionnaire are sent to reach me by the ....1962.

Yours faithfully,

SUGATA DASGUPTA
Secretary of the Study Team

GOVERNMENT OF INDIA

MINISTRY OF COMMUNITY DEVELOPMENT, PANCHAYATI RAJ AND COOPERATION
(DEPARTMENT OF COMMUNITY DEVELOPMENT AND PANCHAYATI RAJ)

New Delhi, the 26th June, 1962.

RESOLUTION

No. 4/78/61-Panch.—The fifth meeting of the Central Council of Local Self-Government held in 1959 recommended that the Gram Sabha should be given statutory recognition and legislation should provide for its participation in the formulation of programmes and the review of progress. This was reiterated by the sixth meeting of the Council held in 1960 and by the Conference of State Ministers of Panchayati Raj held in 1961. Though a number of States have recognised the Gram Sabha statutorily and assigned them certain specific functions, it is yet to develop into an institution capable of exerting its effective influence on the Village Panchayat.

The extension of the process of democracy to the people in the real sense should mean that the Panchayat functions as the executive body to give concrete shape to the wishes and aspirations of the village community as represented by the Gram Sabha. The objective of Panchayati Raj is to establish a participating democracy so that at the village level the Gram Sabha, consisting of all adult residents of the village, should not only deliberate, but also participate with its executive, namely, the Gram Panchayat in planning and implementing the various programmes. The mode of achieving this objective requires to be examined.

If decentralisation and the sharing of powers and responsibilities by people's representatives at the various levels are to be real, these powers and responsibilities must be exercised institutionally. In this connection the powers conferred on the Chairman of the Panchayat Samiti and the Sarpanch need to be analysed with a view to providing effective safeguards to ensure that they function institutionally.

2. These problems precipitated by the working of Panchayati Raj in different States have been exercising the mind of the Government for some time. The Government of India have accordingly decided to set up a Study Team for this purpose. The composition of the Study Team will be as follows—

Chairman: Shri R. R. Diwakar, Member Rajya Sabha and Chairman, Gandhi Smarak Nidhi.

Members:
1. Shri R. K. Patil.
2. Shri S. N. Dwivedy, M.P.
3. Shrimati Sarojini Mahishi, M.P.
4. Shri J. N. Pahadia.
5. Shri S. M. Joshi.
6. Shri Raghubir Sahai.
7. Shri G. P. Jain, Editor "Sevagram".
8. Shri B. S. Mehta, Chief Secretary, Rajasthan.
9. Shri G. Venkatachalapati, Additional Development Commissioner, Madras.
10. Shri Bhagwant Singh, Director of Panchayats, Uttar Pradesh.

Secretary: Shri Sugata Dasgupta, National Institute of Community Development, Mussoorie.

3. The following will be terms of reference of the Study Team—

(i) To study the working of the Gram Sabha, Gram Panchayat and the Panchayat Samiti with special reference to—

(a) the extent to which the Gram Panchayat is influenced in its policies and decisions by the views and mandate of the Gram Sabha, and the extent to which Gram Sabha is involved in the implementation of programmes;

(b) the extent to which the existing powers and functions of Sarpanches of Village Panchayats and Pradhans of Panchayat Samitis are consistent with the institutional functioning of the Panchayats and Panchayat Samitis.

(ii) To suggest measures necessary to ensure that—

(a) the Gram Sabha is built up as the base of Panchayati Raj; and

(b) Sarpanches (Panchayat Presidents) and Pradhans (Presidents of Panchayat Samitis) function institutionally.

4. The Study Team should submit its report within six months from the date of its constitution.

5. The Headquarters of the Study Team shall be New Delhi. The team may undertake tours as and when necessary and may also meet persons who may have expert knowledge on the subject.

P. V. R. RAO,

Additional Secretary to the Government of India.

No. 4/78/61-*Panch*

ORDER: Ordered that a copy of the Resolution be communicated to all concerned.

ORDER: Ordered also that the Resolution be published in the Gazette of India for general information.

P. V. R. RAO,

Additional Secretary to the Government of India.

Copy forwarded to—

(i) All Secretaries to Government I/c of Panchayati Raj.

(ii) All Development Commissioners.

(iii) The Department of Parliamentary Affairs.

(iv) All Officers and Sections in the Ministry.

(v) All Training Centres/Institutions.

(vi) All Ministries of the Government of India.

S. VARADAN,

Under Secretary to the Government of India.

QUESTIONNAIRE ON GRAM SABHA AND SELECTED SCHEDULES

1. *Preamble*

The Study Team on Gram Sabha, set up by the Government of India, Ministry of C.D., P.R., & C., is presently occupied to find how democracy, both representative and participating, can be best facilitated in the all-sided progress of the country from the village level upwards, in the context of the Panchayati Raj Movement.

It is suggested by some people that in order to strengthen the functioning of the Panchayati Raj institutions, it is necessary to build the Gram Sabha, the lowest tier of the Panchayati Raj system as the base where the whole of the adult community of the village is involved in deliberation and action. If decentralisation of democratic power and control is to be meaningful and vital, maximum possible responsibility in terms of policy making and its execution should be made the concern of the Gram Sabha.

To secure the above objective (1) the chiefs of the various tiers of the Panchayati Raj organisations should function as the responsible mouth-pieces of their representative organisations and not by themselves in isolation, and (2) the Gram Sabha should be able to influence the policies of the Panchayati Raj institutions so that the whole adult population of the village will be involved in the implementation of those policies.

THE QUESTIONNAIRE

2. *Identifying the Problem*

1. Do you agree with the statement made in the preamble? or
2. Do you, in the light of your own experience feel that it is neither desirable nor practicable to strengthen the status and functioning of the Gram Sabha and endow it with such powers that it will play the effective role of a policy maker and implementor for:
   - (*a*) the Gram Sabha is too loose, unwieldy and disorganised to discharge such responsibilities,
   - (*b*) the members of the Gram Sabha more often, lack adequate educational and other capacities to take decisions for the whole community and/or to implement it,
   - (*c*) that a smaller body like the Panchayat or a higher tier like the Panchayat Samiti—apparently composed of more responsible persons, should in the fitness of things be entrusted with such responsibilities, and
   - (*d*) for any other reason/reasons known to you? (Please state this in brief, in a note sheet.)
3. Do you feel as a result of your own personal experience (*a*) that it is desirable/practicable that a Sarpanch/Pradhan should act as mouth-piece of

the organisation, and (*b*) not independently except in routine matters and in an emergency without taking their committees into confidence? or

Is it your feeling that once elected Sarpanch/Pradhan who is, head and shoulder, above the average members of their committees should act by themselves without waiting for the concurrence of their committees—if such concurrence is not easily forthcoming or even by-pass them, if necessary?

4. From your personal experience of functioning of one or more Gram Sabhas—could you say how it has worked and fulfilled its functions? Does this justify the feeling that Gram Sabha has potentialities, if given the proper conditions to develop into a more vital organisation?

   Please attach a note of not more than 500 words which might cover the following points: (*i*) the number of meetings of Gram Sabha held in a year, (*ii*) the size of the Gram Sabha, (*iii*) percentage of people attended, (*iv*) types of people who attended, (*v*) whether the people of the weaker sections participated, (*vi*) number and types of decisions taken and percentage of such decisions accepted by higher tiers or implemented by itself, the way the decisions were taken—whether taken by good many members participating or by a few dominating members of the group or by the Sarpanch acting independently or acting in collaboration only with a vocal group.

5. Do you believe that: (*a*) it is imperative that Gram Sabha should be developed as the strong base of the Panchayati Raj Movement and the difficulties enumerated are largely imaginary and could be easily overcome? (*b*) or they are genuine, (if so, please list them one by one in a separate sheet) and that efforts should be made to overcome them?

6. Is it possible to ensure that the whole hierarchy of Panchayati Raj acts as a team or as an organic whole and that each tier acts on the basis of the material supplied as a result of discussions and decisions taken at the immediate lower tier, Gram Sabha acting as the base and the most effective and fertile ground for supplying data for policies.

3. *Modus Operandi*

7. Could this (2) be one or is it desirable to do so by increasing the powers and extending functions of the Gram

Sabha and, if so, will increasing functions, responsibilities, and powers be in any or all of the following spheres:

(*a*) Financial powers—Powers for framing and passing budget, levying taxes, etc.

(*b*) Local problems of revenue, forest, etc.

(*c*) Developmental functions including education etc.

(*d*) Municipal functions.

(*e*) Administrative functions.

(What according to you, are some of the functions which could be given to Gram Sabha and others which should not be entrusted to Gram Sabha?

What are the suggestions for ascribing new functions to the Gram Sabha and what subtractions, if at all, are to be made in the functions of the higher tiers and executives?)

8. Could tnis aim be achieved by modification of the existing elections procedures so that the Gram Sabha may effectively control its Sarpanch and Panchayat, and also influence the Panchayat Samiti and its Pradhans indirectly if not directly?

(*a*) Should the Gram Sabha elect the Panchayat as well as the Sarpanch and

(*b*) members (other than the Sarpanch if that is the case) of the Samiti?

(*c*) or should the Sarpanch be elected by the Gram Sabha/by the Panchayat and be *ipso facto* member of the Samiti?

(*d*) Should there be a system of recall of Sarpanches and members of the Panchayat Samiti, and if so, under what condition and what manner, if not, why not—what are the dangers of such a system?

(*e*) Should the Pradhans be elected by all adult voters of the area?

(*f*) Should the Sarpanches and Panches, elected by respective Gram Sabhas, form the electoral college for the Pradhans?

9. What could be the possible sources of contact and mutual communication etc., between (*a*) the Zila Parishad, the Panchayat Samiti, the Panchayat and the Gram Sabha, and (*b*) the chairmen of these institutions and Gram Sabha? (Could it be that Gram Sabha forwards details of problems, to be discussed

by Panchayat and Panchayat Samitis and Zila Parishads framed earlier by the Gram Sabha all by itself or on the basis of the broader policies earlier forwarded to it by Panchayat Samiti through Panchayat?)

Could it be that all or selected resolutions of Gram Sabha are discussed at Panchayat. Discussions and resolution of the Panchayat be placed before the Gram Sabha for their

(*a*) discussion,

(*b*) perusal, and

(*c*) operation.

4. *Gram Sabha and its Functioning*

Note.—Even if the Gram Sabha is given increased functions and powers and a line of communication is established to and from the Gram Sabha and higher tiers and higher executives the question remains and this is a more basic question that how to make the members of the Gram Sabha participate in greater measures and take more effective interest in Gram Sabha? How to enable the members to be more interested in the working of the Gram Sabha. Ascribing new powers and functions, of course, automatically make the institution more attractive and more people are likely to take their membership in the new context seriously and therefore greater interest in its functioning may be evident. But, what are the other methods?

(i) *Meetings of Gram Sabha*

10. (*a*) Size of the Gram Sabha. What, according to your opinion, could be the size of the Gram Sabha; if you think that a village is too unwieldy to act as a homogenous unit, would you suggest the basis on which the village could be split into smaller units, each unit forming a Gram Sabha each? Could the splitting be done on the basis of (*a*) recognised wards, (*b*) population, and (*c*) of the social homogeneity of each unit or on any other basis? (Please indicate if more than one alternatives given above could be taken into consideration together in splitting the size of the Gram Sabha).

(*b*) What should be the duration of the tenure of the Gram Sabha: (*i*) Should it be longer than the duration of the State Assemblies or Lok Sabha, (*ii*) Should it be shorter than the duration of the State Assemblies or Lok Sabha?

(*iii*) There are some who feel that it should be 3 years/2½ years or less. Kindly indicate your preference giving reasons thereof.

11. How many meetings of the Gram Sabha in your view should be held in a year and (*i*) should there be quorum —what should be its size? and (*ii*) what are the methods by which intimation for the meetings should be served?

12. How could the meetings be made more widely attended?

(*a*) by fixing up a common venue.

(*b*) by announcing the time in advance on a common free day of the villagers.

(*c*) by acquainting the members in advance of the significance of the agenda.

(*d*) by transacting before os after the Panchayat other attractive business as well, such as holding of (*i*) recreational festival, (*ii*) film show, etc.?

(*e*) by making the common venue more attractive and associating important visiting persons including local officers with the meetings of the Gram Sabha,

(*f*) by drawing up programmes which would be of more direct appeal to the weaker sections and the largest number of people, and or

(*g*) by any other measures, such as, by keeping a regular Attendance Register and arranging follow-up visits of the Gram Sevak/enthusiastic villagers to the homes of absentee members to (*a*) discuss with them the business already transacted, and (*b*) necessity of attending the next meeting, or any other measure.

13. How could the meetings be made more effective:

(*a*) having few meetings and of longer session, say, 2-3 hours in which the Sabha be split into smaller groups to deliberate on specific issues which are considered back in the plenary session, or

(*b*) by having more meetings of shorter duration on the basis of pinpointed agenda built by informal consultations of members held on ward basis earlier, or

(*c*) by both means, or

(*d*) by other measures, if any.

(ii) *Gram Sabha and Action*

(*Note*—Enabling members to take interest in deliberations is a great step but not the last step; for it is more important to persuade the members to take responsibility and participate in programmes of execution. How could this be done?)

14. Could this be done by appointing specific Committees for specific purposes? Or by standing Committees with periodically retiring membership in which people of different wards, weaker sections, interest groups and specially of the non-vocal, dormant members are adequately represented and entrusted with planning and execution of specific programmes such as road construction, building of schools, collection of revenues, raising of funds and so on?

15. Will this be accomplished if the Panchayat Samiti and Block Extension Officers are requested to organise specific programmes of education and preparation of the members in enthusing and enabling them to participate in deliberations and action? What are the suggestions in this regard?

(*a*) Organisation of short duration meetings, seminars and discussion groups on specific problems,

(*b*) special drives be made to send the disinterested members to Gram Sahayaks, Training Camps and Panchayati Raj training centres,

(*c*) Gram Sevaks be given specific training in group mobilisation, individual contact and in organising ward meetings and seminars for enthusing interest,

(*d*) To enable the Gram Sevak to discharge his extension functions so that he could help the Panchayat/Gram Sabha to develop as an extension agency, he be made (*i*) Hony. General Secretary of the Panchayat, and (ii) be associated with each meeting of the Panchayat/Gram Sabha itself.

(Please indicate the correct answers by wherever required. Thank you.)
or add note scripts

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